

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Union Electric Company d/b/a)
AmerenUE for Authority to File Tariffs)
Increasing Rates for Electric Service Provided)
to Customers in the Company's Missouri)
Service Area.)

Case No. ER-2008-0318

MOTION TO LATE FILE TESTIMONY

COMES NOW the Office of the Public Counsel and for its Motion to Late File Testimony states as follows:

1. On May 29, 2008, the Commission adopted a procedural schedule that calls for parties (other than AmerenUE) to file direct testimony on rate design issues on September 11, 2008.

2. Ryan Kind, a chief economist for Public Counsel, prepared and filed direct testimony on the appropriate allocation of costs among classes on September 12, 2008, one day out of time. Several reasons led to the late filing. Mr. Kind recently had a death in the family, which kept him out of the office for a number of days during a very busy time in this case as well as others. Public Counsel is also still having issues with the new format for the Staff EMS output files and transferring the reformatted data into and running Public Counsel's class cost of service model.

WHEREFORE, Public Counsel respectfully requests that the Commission accept the rate design testimony of Public Counsel witness Ryan Kind one day out of time on September 12, 2008.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to all parties this 12th day of September 2008.

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