

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

In the Matter of Union Electric Company, d/b/a	)	<u><b>File No. ER-2010-0165</b></u>
AmerenUE's Application to Modify FAC Rate	)	Tariff No. YE-2010-0356

**STAFF RECOMMENDATION TO  
APPROVE TARIFF SHEET AND REGARDING WORKPAPERS**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its *Recommendation to Approve Tariff Sheet and Regarding Workpapers* states the following to the Missouri Public Service Commission ("Commission"):

1. On November 25, 2009, Union Electric Company, d/b/a AmerenUE ("AmerenUE"), filed a tariff sheet to change its Fuel and Purchased Power Adjustment Clause ("FAC") rates by changing its Fuel and Purchased Power Adjustments ("FPA") in its Fuel and Purchased Power Adjustment Clause ("FAC"). Currently the FPAs are a negative amount per kWh of \$0.00036, \$0.00035, and \$0.00033 for customers receiving service at secondary, primary, and transmission voltage levels, respectively. The proposed adjustments to the FPAs result in a positive FPA of \$0.00014 per kWh for the customers receiving service at secondary and primary voltage levels, and a positive FPA of \$0.00013 per kWh for customers receiving service at the transmission voltage level. The Commission authorized AmerenUE's FAC with its *Report and Order* in Case No. ER-2009-0318.

2. Commission Rule 4 CSR 240-20.090(4) provides that the Staff "shall submit a recommendation regarding its examination and analysis to the Commission not later than thirty (30) days after the electric utility files its tariff schedules to adjust its FAC rates." Staff is to determine if AmerenUE's proposed adjustment to its FAC rates are in accordance with

4 CSR 240-20.090, §386.266 RSMo, and AmerenUE's FAC established in Case No. ER-2009-0318. *Id.*

3. Commission Rule 4 CSR 240-20.090(4) provides that the Staff is to make its recommendation within thirty days of the date a proposed adjustment to FAC rates is filed and that the Commission "shall either issue an interim rate adjustment order approving the tariff schedules and the FAC rate adjustments within sixty (60) days of the electric utility's filing or, if no such order is issued, the tariff schedules and the FAC rate adjustments shall take effect sixty (60) days after the tariff schedules were filed."

4. AmerenUE has requested that its proposed tariff Sheet No. 98.7, filed November 25, 2009, become effective on January 27, 2010, the first cycle of the February billing month. Thus, the tariff sheet was filed with 63 days of notice. Staff, therefore, recommends the Commission issue an order approving the proposed tariff sheet, as filed on November 25, 2009, to become effective on January 27, 2010, as requested by AmerenUE, subject to true-up and prudence reviews.

5. In the attached Memorandum (Appendix A), the Staff recommends that the Commission issue an interim rate adjustment order that AmerenUE's FAC Tariff Sheet which specifies the FPAs, MO. P.S.C. SCHEDULE NO. 5 2<sup>nd</sup> Revised Sheet No. 98.7 Cancelling 1<sup>st</sup> Revised Sheet No. 98.7, as filed on November 25, 2009, to become effective on January 27, 2010, subject to true-up and prudence reviews.

6. AmerenUE's requested FPA adjustments are based on an accumulation period (of eligible costs subject to subsequent recovery from, or refund to, customers) ending September 30, 2009.

7. Commission Rule 4 CSR 240-3.161(6) requires each electric utility with a fuel adjustment clause to submit a Surveillance Monitoring Report. Commission Rule 4 CSR 240-20.090(10) states that a utility shall submit the Surveillance Monitoring Reports within 15 days of the utility's submission of its 10-Q and 10-K reports to the U.S. Securities and Exchange Commission. The Staff Memorandum notes that these filings are to be made in accordance with the applicable rules.

8. The Staff's review shows AmerenUE's filing is in compliance with §386.266 RSMo Supp. 2009, 4 CSR 240-20.090, and 4 CSR 240-3.161. The Staff recommends that the Commission issue an interim rate adjustment order approving AmerenUE's proposed tariff sheet to implement the FPAs to become effective September 24, 2009, subject to true-up and prudence reviews.

7. Commission Rule 4 CSR 240-20.090(4) provides, in pertinent part, as follows:

If the FAC rate adjustment is in accordance with the provisions of this rule, section 386.266, RSMo, and the FAC mechanism established in the most recent general rate proceeding, the commission shall either issue an interim rate adjustment order approving the tariff schedules and the FAC rate adjustments within sixty (60) days of the electric utility's filing or, if no such order is issued, the tariff schedules and the FAC rate adjustments shall take effect sixty (60) days after the tariff schedules were filed.

8. Staff also recommends that the Commission direct AmerenUE to provide workpapers in future FPA filings to meet the following requirements:

- 1) Workpapers shall have the same level of detail as the final version of workpapers provided in this case;
- 2) Workpapers, when spreadsheets, shall be submitted electronically as Excel spreadsheets with all formulas, columns and rows intact; and
- 3) Workpapers shall be provided to all parties at the same time direct testimony is filed.

**WHEREFORE,** the Staff recommends that the Commission (1) issue an interim rate adjustment order that approves AmerenUE's Tariff Sheet, MO. P.S.C. SCHEDULE NO. 5 2<sup>nd</sup> Revised Sheet No. 98.7 Cancelling 1<sup>st</sup> Revised Sheet No. 98.7, as filed on November 25, 2009, and orders the tariff sheet to become effective on January 27, 2010, subject to true-up and prudence reviews, and (2) direct AmerenUE to provide workpapers in future FPA filings as specified, here-in.

Respectfully submitted,

/s/ Sarah Kliethermes

Sarah L. Kliethermes

Legal Counsel

Missouri Bar No. 60024

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-6726 (Telephone)  
(573) 751-9285 (Fax)  
sarah.kliethermes@psc.mo.gov

#### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 23rd day of December 2009.

/s/ Sarah Kliethermes

## MEMORANDUM

TO: Missouri Public Service Commission Official Case File  
Case No. ER-2010-0165, Tariff Tracking No. YE-2010-0356  
Union Electric Company d/b/a AmerenUE

FROM: Tom Imhoff, Rate & Tariff Examination Supervisor  
Mack McDuffey, Rate & Tariff Examiner II

/s/ Mack McDuffey 12/23/09  
Energy Department / Date

/s/ Sarah Kliethermes 12/23/09  
General Counsel's Office / Date

SUBJECT: Staff Recommendation for **Approval** of Tariff Sheet Filed to Increase Revenues  
Related to AmerenUE's Fuel and Purchased Power Adjustment Clause (FAC)  
Pursuant to the Commission's Report and Order from Case No. ER-2008-0318

DATE: December 23, 2009

On November 25, 2009, AmerenUE filed with the Commission one (1) tariff sheet bearing a proposed effective date of January 27, 2010 to revise its Fuel and Purchased Power Adjustment (FPA) (Item 14. on Sheet No. 98.7).

This is AmerenUE's second filing changing its FPA. AmerenUE's present FPA is a negative amount per kWh of \$0.00036, \$0.00035, and \$0.00033 for customers receiving service at secondary, primary, and transmission voltage levels, respectively. The proposed change to the FPA results in a positive FPA of \$0.00014 for the customers receiving service at secondary and primary voltage levels, and a FPA of \$0.00013 for customers receiving service at the transmission voltage level.

AmerenUE's first FAC recovery period<sup>1</sup> began with the October 2009 billing month and will end with the September 2010 billing month. The next recovery period,<sup>2</sup> for which this tariff filing was made, will begin with the February 2010 billing month and end with the January 2011 billing month.

The accumulation periods, recovery periods, and other specifications of AmerenUE's existing FAC are set out in its tariff sheets designated Original Sheet Nos. 98.1 through 98.6, approved on January 27, 2009, via the Commission's February 6, 2009 *Report and Order*. Specifically, Original Sheet No. 98.1 sets out AmerenUE's three four-calendar-month accumulation periods as February through May, June through September, and October through January. The twelve-billing-month recovery periods are set out as October through September, February through January, and June through May. The Accumulation Periods and Recovery Periods are shown on the attached Timeline.

---

<sup>1</sup> For the accumulation period of February 2009 through May 2009.

<sup>2</sup> For the accumulation period of June 2009 through September 2009.

The information and workpapers filed with the revised tariff sheet in this case include sufficient data to calculate adjustments to the FPA based on the fuel and purchased power costs provided by AmerenUE for the period of June 1, 2009 through September 30, 2009.

The Staff has reviewed the proposed Tariff Sheet No. 98.7, the information and workpapers filed initially, and the supplemental direct testimony filed December 11, 2009. The Staff also reviewed the monthly submission and surveillance monitoring reports provided by AmerenUE as described in the attached memorandum.

Staff is of the opinion that AmerenUE timely filed its proposed tariff sheet and that the proposed tariff sheet complies with the Commission's *Report and Order* in Case No. ER-2008-0318, Commission Rule 4 CSR 240-3.161 (Electric Utility Fuel and Purchased Power Cost Recovery Mechanisms Filing and Submission Requirements), and AmerenUE's effective FAC tariffs.

Commission Rule 4 CSR 240-20.090(4) provides in part:

[T]he commission shall either issue an interim rate adjustment order approving the tariff schedules and the FAC rate adjustments within sixty (60) days of the electric utility's filing or, if no such order is issued, the tariff schedules and the FAC rate adjustments shall take effect sixty (60) days after the tariff schedules were filed.

AmerenUE has requested that its proposed tariff Sheet No. 98.7, filed November 25, 2009, become effective on January 27, 2010, the first cycle of the February billing month. Thus, the tariff sheet was filed with 63 days of notice. Staff, therefore, recommends the Commission issue an order approving the following proposed tariff sheet, as filed on November 25, 2009, to become effective on January 27, 2010, as requested by AmerenUE, subject to both true-up and prudence reviews:

MO. P.S.C. SCHEDULE NO. 5

2<sup>nd</sup> Revised Sheet No. 98.7 Cancelling 1<sup>st</sup> Revised Sheet No. 98.7

Staff has verified that AmerenUE is not delinquent on any assessment or the filing of its annual report. Staff is not aware of any other matter pending before the Commission that affects or is affected by this tariff filing. AmerenUE's current rate case will have no effect on this filing.

## AmerenUE Fuel and Purchased Power Adjustment Clause (FAC) Timeline

### Periods

Accumulation ER-2008-0318	<b>A1</b> (Feb09-May09)~ <b>A2</b> (Jun09-Sep09)~ <b>A3</b> (Oct09-Jan10)~ <b>A4</b> (Feb10-May10)~ <b>A5</b> (Jun10-Sep10)~ <b>A6</b> (Oct10-Jan11)
Recovery	<b>A7</b> (Feb11-May11)~ <b>A8</b> (Jun11-Sep11)~ <b>A9</b> (Oct11-Jan12)~ <b>A10</b> (Feb12-May12)~ <b>A11</b> (Jun12-Sep12)~ <b>A12</b> (Oct12-Jan13)
-	<b>R1</b> (Oct09-Sep10) ER-2010-0044 ~ <b>R2</b> (Feb10-Jan11) ER-2010-0xxx ~ <b>R3</b> (Jun10-May11) ER-2010-0xxx
-	<b>R4</b> (Oct10-Sep11) ER-2011-0xxx ~ <b>R5</b> (Feb11-Jan12) ER-2011-0xxx ~ <b>R6</b> (Jun11-May12) ER-2011-0xxx
-	<b>R7</b> (Oct11-Sep12) ER-2012-0xxx ~ <b>R8</b> (Feb12-Jan13) ER-2012-0xxx ~ <b>R9</b> (Jun12-May13) ER-2012-0xxx
True-Up	<b>R10</b> (Oct12-Sep13) ER-2013-0xxx ~ <b>R11</b> (Feb13-Jan14) ER-2013-0xxx ~ <b>R12</b> (Jun13-May14) ER-2013-0xxx
	<b>T1</b> ER-2010-0xxx

Month #		1	2	3	4	5	6	7	8	9	10	11	
								<b>Aug 1</b>				<b>Dec 1</b>	
<b>2009</b>	Jan	Feb	Mar	Apr	May	Jun	Jul	<b>file</b>	Sep	Oct	Nov	<b>file</b>	
Accumulation		A1	A1	A1	A1	A2	A2	A2	A2	A3	A3	A3	
Recovery										R1	R1	R1	
							UE cal R1	Staff R1	Com. R1	apply R1			
Month #		12	13	14	15	16	17	18	19	20	21	22	23
					<b>Apr 1</b>	<b>May 1</b>			<b>Aug 1</b>				<b>Dec 1</b>
<b>2010</b>	Jan	Feb	Mar	<b>file</b>	<b>file</b>	Jun	Jul	<b>file</b>	Sep	Oct	Nov	<b>file</b>	
Accumulation	A3	A4	A4	A4	A4	A5	A5	A5	A5	A6	A6	A6	
Recovery	R1	R1	R1	R1	R1	R1	R1	R1	R1	R4	R4	R4	
Recovery		R2	R2	R2	R2	R2	R2	R2	R2	R2	R2	R2	
Recovery						R3	R3	R3	R3	R3	R3	R3	
Month #		24	25	26	27	28	29	30	31	32	33	34	35
					<b>Apr 1</b>	<b>May 1</b>			<b>Aug 1</b>				<b>Dec 1</b>
<b>2011</b>	Jan	Feb	Mar	<b>file</b>	<b>file</b>	Jun	Jul	<b>file</b>	Sep	Oct	Nov	<b>file</b>	
Accumulation	A6	A7	A7	A7	A7	A8	A8	A8	A8	A9	A9	A9	
Recovery	R4	R4	R4	R4	R4	R4	R4	R4	R4	R7	R7	R7	
Recovery	R2	R5	R5	R5	R5	R5	R5	R5	R5	R5	R5	R5	
Recovery	R3	R3	R3	R3	R3	R6	R6	R6	R6	R6	R6	R6	
Month #		36	37	38	39	40	41	42	43	44	45	46	47
					<b>Apr 1</b>	<b>May 1</b>			<b>Aug 1</b>				<b>Dec 1</b>
<b>2012</b>	Jan	Feb	Mar	<b>file</b>	<b>file</b>	Jun	Jul	<b>file</b>	Sep	Oct	Nov	<b>file</b>	
Accumulation	A9	A10	A10	A10	A10	A11	A11	A11	A11	A12	A12	A12	
Recovery	R7	R7	R7	R7	R7	R7	R7	R7	R7	R10	R10	R10	
Recovery	R5	R8	R8	R8	R8	R8	R8	R8	R8	R8	R8	R8	
Recovery	R6	R6	R6	R6	R6	R9	R9	R9	R9	R9	R9	R9	

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

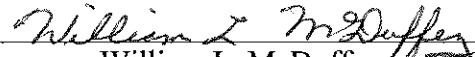
In Re: Union Electric Company d/b/a )  
AmerenUE's Filing to Adjust Rates under )  
its Approved Fuel and Purchased Power )  
Cost Recovery Mechanism Pursuant to )  
4 CSR 240-20.090(4). )

Case No. ER-2010-0165

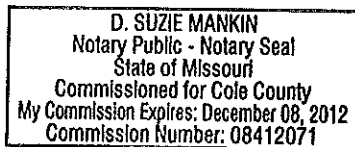
AFFIDAVIT OF WILLIAM L. MCDUFFEY

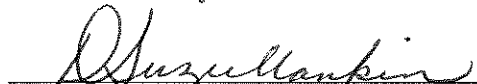
STATE OF MISSOURI     )  
                                  )     ss.  
COUNTY OF COLE     )

William L. McDuffey, of lawful age, on his oath states: that he has participated in the preparation of the foregoing Staff Recommendation; that he has knowledge of the matters set forth in such Staff Recommendation; and that such matters are true and correct to the best of his knowledge and belief.

  
William L. McDuffey

Subscribed and sworn to before me this 22<sup>nd</sup> day of December, 2009.



  
Notary Public



## MEMORANDUM

TO: Mack McDuffey, Rate and Tariff Examiner II  
Energy Tariff/Rate Design

FROM: David Roos, Regulatory Economist III  
Leon Bender, Regulatory Engineer I  
Energy Resource Analysis Group

SUBJECT: Union Electric Company d/b/a AmerenUE, FAC Tariff Case No. ER-2010-0165, Tariff Filing No. YE-2010-0356,

DATE December 23, 2009

Staff recommends that the Commission; 1) approve the proposed tariff sheet to change AmerenUE's Fuel and Purchased Power Adjustment (FPA) rates, and 2) direct AmerenUE to provide workpapers in future FPA filings to meet certain requirements..

On November 25, 2009, Union Electric Company d/b/a/ AmerenUE (AmerenUE) made a Fuel and Purchased Power Adjustment Clause (Rider FAC) tariff filing under Commission Rules 4 CSR 240-3.161(7) Electric Utility Fuel and Purchased Power Cost Recovery Mechanisms Filing and Submission Requirements, 4 CSR 240-20.090(4) Electric Utility Fuel and Purchased Power Cost Recovery Mechanisms, §386.266 RSMo, and the *Report and Order* issued by this Commission in Case No. ER-2008-0318. AmerenUE's filing included the proposed tariff sheet and the testimony of Jeff L. Dodd, which included information supporting the calculation of the difference between AmerenUE's actual fuel and purchased power costs net of off-system sales and Net Base Fuel Costs (NBFC) during Accumulation Period 2.<sup>1</sup> On December 18, 2009 AmerenUE filed the supplemental testimony of Jeff L. Todd to correct a table that had contained incorrect information in the initial direct filing.

---

<sup>1</sup> Accumulation Period 2 was June 1, 2009 through September 30, 2009.

The accumulation periods, recovery periods, and other specifications of AmerenUE's Rider FAC are set out in its tariff sheets designated Sheet Nos. 98.1 through 98.7. The Recovery Period for this instant filing is AmerenUE's billing months of February 2010 through January 2011.

Staff reviewed the information and mathematical calculations provided in the initial filing and supplemental filing. The calculations and information provides a sufficient level of detail to support the substitute tariff sheet.

Staff recommends the Commission: 1) approve the proposed tariff sheet to change AmerenUE's FPA, and 2) direct AmerenUE to provide workpapers in future FPA filings to meet the following requirements:

- 1) Workpapers shall have the same level of detail as the final version of workpapers provided in this case;
- 2) Workpapers, when spreadsheets, shall be submitted electronically as Excel spreadsheets with all formulas, columns and rows intact; and
- 3) Workpapers shall be provided to all parties at the same time direct testimony is filed.

AmerenUE is current on its submission of its Surveillance Monitoring reports as required in 4 CSR 240-20.090(10) and its monthly reports as required by 4 CSR 240-3.161(5).

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

In Re: Union Electric Company d/b/a )  
AmerenUE's Filing to Adjust Rates )  
under its Approved Fuel and Purchased )  
Power Cost Recovery Mechanism )  
Pursuant to 4 CSR 240-20.090(4) )

Case No. ER-2010-0165

**AFFIDAVIT OF LEON C. BENDER**

STATE OF MISSOURI     )  
                                  ) ss  
COUNTY OF COLE     )

Leon C. Bender, of lawful age, on oath states: that he participated in the preparation of the foregoing Staff Recommendation in memorandum form, to be presented in the above case; that the information in the Staff Recommendation was provided to him; that he has knowledge of the matters set forth in such Staff Recommendation; and that such matters are true to the best of his knowledge and belief.

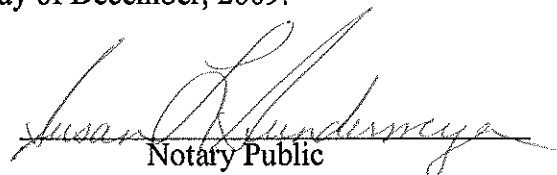


\_\_\_\_\_  
Leon C. Bender

Subscribed and sworn to before me this 23<sup>d</sup> day of December, 2009.



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
Notary Public

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

In Re: Union Electric Company d/b/a	)	
AmerenUE's Filing to Adjust Rates	)	
under its Approved Fuel and Purchased	)	
Power Cost Recovery Mechanism	)	Case No. ER-2010-0165
Pursuant to 4 CSR 240-20.090(4)	)	

**AFFIDAVIT OF DAVID C. ROOS**

STATE OF MISSOURI     )  
                                      ) ss  
COUNTY OF COLE        )


David C. Roos, of lawful age, on oath states: that he participated in the preparation of the foregoing Staff Recommendation in memorandum form, to be presented in the above case; that the information in the Staff Recommendation was provided to him; that he has knowledge of the matters set forth in such Staff Recommendation; and that such matters are true to the best of his knowledge and belief.

  
\_\_\_\_\_  
David C. Roos

Subscribed and sworn to before me this 23 day of December, 2009.



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
\_\_\_\_\_  
Notary Public