

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

In the Matter of the First Prudence Review of)
Costs Subject to the Commission-Approved Fuel)
Adjustment Clause of Union Electric Company) File No. EO-2010-0255
d/b/a AmerenUE.)

STAFF’S MOTION FOR CLARIFICATION

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through Staff Counsel’s Office, and for its *Motion for Clarification*, respectfully states as follows:

1. On April 27, 2011, the Commission issued its *Report and Order* in which it stated in ordered paragraph 1 that “Union Electric Company, d/b/a Ameren Missouri shall refund \$17,169,838 to its ratepayers by an adjustment to its FAC charge to correct an over collection of revenues for the period of March 1, 2009, to September 30, 2009.”

2. Although the Commission describes in ordered paragraph 1 that Ameren Missouri over-collected revenues for the period of March 1, 2009, to September 30, 2009, it does not make a finding of fact in its *Report and Order* that the \$17,169,838 is for the period March 1, 2009 to September 30, 2009. Staff requests the Commission clarify its *Report and Order* to explicitly do so.

3. Section 386.266.4(4), RSMo. Supp. 2010 states, “In the case of an adjustment mechanism submitted under subsection 1 or 2 of this section, includes provisions for prudence reviews of the costs subject to the adjustment mechanism no less frequently than at eighteen-month intervals, and shall require refund of any imprudently incurred costs **plus interest at the utility’s short-term borrowing rate.**” (emphasis added).

4. The Commission found the \$17,169,838 based on Staff's calculation in its *Correction to Staff's Prudence Report and Recommendation* filed on October 12, 2010, which included interest at Ameren Missouri's short-term borrowing rate through the end of the second Accumulation Period ending September 30, 2009. However, Staff is unclear if the Commission Report and Order required Ameren Missouri's to refund interest at Ameren Missouri's short-term borrowing rate from October 1, 2009 through the date of tariff filing that includes the refund in Fuel and Purchase Power Adjustment shall be added to the \$17,169,838.

WHEREFORE, Staff requests the Commission to clarify its *Report and Order* as to the matters Staff finds unclear stated above.

Respectfully submitted,

/s/ Jaime N. Ott

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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 5th day of May, 2011.

/s/ Jaime N. Ott_____