

**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) File No. EO-2010-0255
Adjustment Clause of Union Electric Company)
/d/b/a Ameren Missouri.)

**NON-UNANIMOUS STIPULATION AND AGREEMENT
AND REQUEST TO REOPEN RECORD
TO TAKE ADDITIONAL EVIDENCE TO CORRECT ERROR**

COME NOW the Staff of the Missouri Public Service Commission (“Staff”) and Union Electric Company d/b/a Ameren Missouri and request the Commission to reopen the record in this case and accept their stipulation and agreement following regarding the calculation of interest with regard to the ordered paragraph 1 of the Commission’s *Report and Order* in this case issued April 27, 2011 bearing and effective date of May 7, 2011 which, in full, directs: “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” and Staff’s Motion for Clarification filed May 5, 2011. Counsel for the Office of the Public Counsel has indicated that Public Counsel does not oppose this agreement.

As Staff states in its motion for clarification, section 386.266.4(4), RSMo. Supp. 2010, provides:

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.

Staff and Ameren Missouri stipulate and agree the \$17,169,838 amount the Commission has ordered be refunded to ratepayers includes interest at Ameren Missouri’s short-term borrowing rate

through September 30, 2009, although the record only supports that amount includes interest through May 2010, due to Staff erroneously stating that amount included interest at Ameren Missouri's short-term borrowing rate through May 2010, rather than September 30, 2009. They further stipulate and agree that, as required by section 386.266.4(4), RSMo. Supp. 2010, interest has accrued and continues to accrue after September 30, 2009, at Ameren Missouri's short-term borrowing rate.

STAFF OF THE MISSOURI
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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 6th day of May, 2011.

/s/ Nathan Williams