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State of Missouri

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January 22, 2002

Mr. Dale H. Roberts  
Secretary/Chief Regulatory Law Judge  
Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**FILED<sup>3</sup>**

JAN 22 2002

**RE: Case No. EM-2001-695**

**Missouri Public  
Service Commission**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case please find the original and eight copies of the **PUBLIC COUNSEL POSITION STATEMENT**. Please "file" stamp the extra-enclosed copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "J B Coffman".

John B. Coffman  
Acting Public Counsel

JBC:jb

cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>

JAN 22 2002

Missouri Public  
Service Commission

In the Matter of the Joint Application of )  
Union Electric Company and Lewis )  
County Rural Electric Cooperative for an )  
Order Approving the Change in Electric )  
Supplier for Reasons in the Public Interest )  
and Authorizing the Sale, Transfer and )  
Assignment of Certain Electric )  
Distribution Facilities, easements and )  
other Rights Generally from Union )  
Electric Company to Lewis County Rural )  
Electric Cooperative. )

Case No. EM-2001-695

PUBLIC COUNSEL POSITION STATEMENT

Comes Now the Office of the Public Counsel (Public Counsel) and for its Position Statement states as follows:

1. This case involves a proposed sale and transfer of certain electric distribution facilities from Union Electric Company d/b/a AmerenUE (Company) to Lewis County Rural Electric Cooperative (Cooperative) and a proposed change in electric supplier for approximately 550 customers in the areas surrounding seven cities. When analyzed on the whole, this proposal does not appear to be detrimental to the public interest. However, the Commission should be aware that the impact on individual customers might vary considerably.

2. Public Counsel has chosen to not oppose the Application and decided not to request a hearing in this case based upon several factors. The customer switch appears to provide some operational benefits for both electric suppliers. It is also possible that the customers to be switched would receive a quicker response time in the case of electric outages

and other service problems because the Cooperative has local service crews in closer vicinity to the affected customers. Generally speaking, because Company has a lower customer charge than the Cooperative, low energy users will experience a percentage rate increase, while higher energy users will experience rate decreases on a percentage basis. Customers that would be switched would no longer have rates regulated by the Commission; however, these customers would then have the opportunity to vote for the Cooperative's Board which sets its rates and these customers will have the opportunity in the future to receive capital credits.

WHEREFORE, Public Counsel respectfully requests that the Commission take note of its Position Statement and of the fact that Public Counsel does not request a hearing pursuant to Commission Rule 4 CSR 240-2.115.

Respectfully submitted,

OFFICE OF THE Public Counsel

By: 

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Acting Public Counsel  
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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this 22<sup>nd</sup> day of January 2002:

**ROBERT V FRANSON**

Missouri Public Service Commission

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Missouri Public Service Commission

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Rural Electric Cooperative

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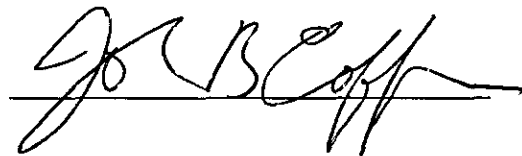
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Wbobnar@ameren.com

Attorney for Union Electric

Company d/b/a AmerenUE

A handwritten signature in black ink, appearing to read "Victor S. Scott", is written over a horizontal line.