

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

In the Matter of an Investigation into)
Whether Ratepayers are being Held) Case No. ER-2008-0015
Harmless from the Taum Sauk Disaster)

PUBLIC COUNSEL’S CONCURRENCE IN MOTION TO CONSOLIDATE

COMES NOW the Office of the Public Counsel and for its Concurrence in Motion to Consolidate states as follows:

1. On April 23, 2008, the Staff of the Commission filed its third status report along with a motion to consolidate this case with the pending AmerenUE rate case, Case No. ER-2008-0318. On April 25, the Commission issued an order accepting the status report out of time, and directing Public counsel to respond to the motion to consolidate.

2. As Staff notes in its April 23 filing, it has worked with Public Counsel (as well as the Attorney General’s office) throughout this case. Public Counsel was aware of Staff’s proposal to consolidate this case with AmerenUE’s pending rate case, and indicated support for that proposal.

3. Public Counsel believes that consolidation makes sense for at least two reasons: 1) because of the press of other cases, this investigation has not progressed as was anticipated when it was opened; and 2) AmerenUE has filed a second rate case much sooner than was anticipated.

WHEREFORE, Public Counsel respectfully offers this response to the Commission’s April 25 order and concurs in Staff’s motion to consolidate this case into Case No. ER-2008-0318.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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By: _____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 5th day of May 2008:

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