

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

| | |
|--|-------------------------------------|
| In the Matter of Union Electric Company d/b/a) | |
| AmerenUE for Authority to File Tariffs) | |
| Increasing Rates for Electric Service Provided) | <u>Case No. ER-2008-0318</u> |
| to Customers in the Company's Missouri) | Tariff No. YE-2008-0605 |
| Service Area.) | |

**RESPONSE OF PUBLIC COUNSEL TO ORDER DIRECTING FILING
AND REQUEST FOR LEAVE TO FILE OUT OF TIME**

COMES NOW the Office of the Public Counsel and for its Response to Order Directing Filing and Request for Leave to File out of Time states as follows:

1. On April 4, 2008, Union Electric Company d/b/a AmerenUE filed a general rate case along with supporting testimony. Certain portions of the testimony were designated as Highly Confidential.

2. On April 11 Public Counsel filed a motion to de-classify portions of the testimony, and on April 21 AmerenUE filed its response in which it explained the grounds upon which it considered the information to be Highly Confidential or Proprietary. On April 22, the Commission issued an order directing Public Counsel to respond no later than May 2.¹

3. On the basis of AmerenUE's April 21 response, Public Counsel hereby withdraws its request to de-classify portions of the direct testimony filed on April 4. AmerenUE's April 21 response adequately explains the grounds pursuant to which the testimony was classified. Public Counsel does not object to AmerenUE's request to change the classification of one portion from Highly Confidential to Proprietary.

¹ The undersigned originally read the order as requiring a response by May 22, hence the delay in filing this response.

WHEREFORE Public Counsel respectfully offers this response to the Commission's April 22 order and withdraws its April 11 Motion to Make Testimony Public.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Lewis R. Mills, Jr.

By: _____

Lewis R. Mills, Jr. (#35275)
Public Counsel
P O Box 2230
Jefferson City, MO 65102
(573) 751-1304
(573) 751-5562 FAX
lewis.mills@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to all parties this 16th day of May 2008.

Office General Counsel
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Lewis Mills
Office Of Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

Kevin Thompson
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Kevin.Thompson@psc.mo.gov

John B Coffman
AARP
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net

Thomas M Byrne
AmerenUE
1901 Chouteau Avenue, MC-1310
P.O. Box 66149, MC-1310
St. Louis, MO 63166-6149

James B Lowery
AmerenUE
111 South Ninth St., Suite 200
P.O. Box 918
Columbia, MO 65205-0918
lowery@smithlewis.com

Steven R Sullivan
AmerenUE
1901 Chouteau Avenue
P.O. Box 66149 (MC 1300)
St. Louis, MO 63166-6149
srsullivan@ameren.com

John B Coffman
Consumers Council of Missouri
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net

Sherrie A Schroder
IBEW Local Union 1439
7730 Carondelet Ave. Ste 200
St. Louis, MO 63105
saschroder@hstly.com

Michael A Evans
IBEW Local Union 1439
7730 Carondelet, Suite 200
St. Louis, MO 63105
mevans@hstly.com

Sherrie A Schroder
IBEW Local Union 1455
7730 Carondelet Ave. Ste 200
St. Louis, MO 63105
saschroder@hstly.com

Michael A Evans
IBEW Local Union 1455
7730 Carondelet, Suite 200
St. Louis, MO 63105
mevans@hstly.com

Sherrie A Schroder
IBEW Local Union 2
7730 Carondelet Ave. Ste 200
St. Louis, MO 63105
saschroder@hstly.com

Michael A Evans
IBEW Local Union 2
7730 Carondelet, Suite 200
St. Louis, MO 63105
mevans@hstly.com

Sherrie A Schroder
IBEW Local Union 309
7730 Carondelet Ave. Ste 200
St. Louis, MO 63105
saschroder@hstly.com

Michael A Evans
IBEW Local Union 309
7730 Carondelet, Suite 200
St. Louis, MO 63105
mevans@hstly.com

Sherrie A Schroder
IBEW Local Union 649
7730 Carondelet Ave. Ste 200
St. Louis, MO 63105
saschroder@hstly.com

Michael A Evans
IBEW Local Union 649
7730 Carondelet, Suite 200
St. Louis, MO 63105
mevans@hstly.com

Sherrie A Schroder
IBEW Local Union 702
7730 Carondelet Ave. Ste 200
St. Louis, MO 63105
saschroder@hstly.com

Michael A Evans
IBEW Local Union 702
7730 Carondelet, Suite 200
St. Louis, MO 63105
mevans@hstly.com

Sherrie A Schroder
International Union of Operating
Engineers-Local No 148
7730 Carondelet Ave. Ste 200
St. Louis, MO 63105
saschroder@hstly.com

Michael A Evans
International Union of Operating Engineers-Local
No 148
7730 Carondelet, Suite 200
St. Louis, MO 63105
mevans@hstly.com

Michael C Pendergast
Laclede Gas Company
720 Olive Street, Suite 1250
St. Louis, MO 63101
mpendergast@lacledegas.com

Rick E Zucker
Laclede Gas Company
720 Olive Street
St. Louis, MO 63101
rzucker@lacledegas.com

Shelley A Woods
Missouri Department of Natural Resources
P.O. Box 899
Jefferson City, MO 65102-0899
shelley.woods@ago.mo.gov

Lisa C Langeneckert
Missouri Energy Group
One City Centre, 15th Floor
515 North Sixth Street
St. Louis, MO 63101-1880
llangeneckert@sovg.com

Diana M Vuylsteke
Missouri Industrial Energy Consumers
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

Stuart Conrad
Noranda Aluminum, Inc.
3100 Broadway, Suite 1209
Kansas City, MO 64111
stucon@fcplaw.com

Koriambanya S Carew
The Commercial Group
2400 Pershing Road, Suite 500
Crown Center
Kansas City, MO 64108
carew@bscr-law.com

Rick D Chamberlain
The Commercial Group
6 NE 63rd Street, Ste. 400
Oklahoma City, OK 73105
rdc_law@swbell.net

/s/ Lewis R. Mills, Jr.

By: _____