

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 1<sup>st</sup> day of June, 2011.

In the Matter of Union Electric Company, d/b/a	)	<u>File No. ER-2011-0028</u>
Ameren Missouri's Tariff to Increase Its Annual	)	Tariff No. YE-2011-0116
Revenues for Electric Service	)	

**ORDER APPROVING STIPULATIONS AND AGREEMENTS**

Issue Date: June 1, 2011

Effective Date: June 1, 2011

During the course of the hearing of this case, various parties have filed nonunanimous stipulations and agreements to resolve certain issues that would otherwise have been presented to the Commission for resolution. Specifically, on May 3, Staff, Ameren Missouri, Public Counsel, the Missouri Industrial Energy Consumers (MIEC), the Missouri Energy Group (MEG), and the Missouri Retailers Association (MRA) filed a First Nonunanimous Stipulation and Agreement – Miscellaneous Revenue Requirement Items. On May 5, Ameren Missouri and the MIEC filed a Nonunanimous Stipulation and Agreement Regarding Tax Issues. On May 6, Staff, Ameren Missouri, and MIEC filed a Third Nonunanimous Stipulation and Agreement. Each of the submitted stipulations and agreements would resolve multiple issues regarding Ameren Missouri's request for a rate increase.

Each described stipulation and agreement is nonunanimous in that none was signed by all parties. However, Commission rule 4 CSR 240-2.115(2) provides that other parties have seven days in which to object to a nonunanimous stipulation and agreement. If no party files a timely objection to a stipulation and agreement, the Commission may treat it as

a unanimous stipulation and agreement. More than seven days have now passed since each described stipulation and agreement was filed and no party has objected. Therefore, the Commission will treat each of these stipulations and agreements as a unanimous stipulation and agreement.

Two other nonunanimous stipulations and agreements were also filed. One, filed on May 12, would have resolved certain class cost of service and rate design issues. The other, filed on May 18, embodied an agreement regarding the evaluation of Ameren Missouri's low-income weatherization program. Both nonunanimous stipulations and agreements were objected to by a non-signatory party. Under Commission Rule 4 CSR 240.2-115(2)(D) both stipulations and agreements are treated as mere position statements of the signatory parties. As a result, those stipulations and agreements cannot be approved.

After reviewing the stipulations and agreements and having questioned the parties at an on-the-record proceeding held on May 20, the Commission independently finds and concludes that each described stipulation and agreement to which no objections was raised is a reasonable resolution of the issues addressed by that stipulation and agreement and that each such stipulation and agreement should be approved.

**THE COMMISSION ORDERS THAT:**

1. The First Nonunanimous Stipulation and Agreement – Miscellaneous Revenue Requirement Issues, filed on May 3, 2011, is approved as a resolution of the issues addressed in that stipulation and agreement. A copy of the stipulation and agreement is attached to this order.

2. The Nonunanimous Stipulation and Agreement Regarding Tax Issues, filed on May 5, 2011, is approved as a resolution of the issues addressed in that stipulation and agreement. A copy of the stipulation and agreement is attached to this order.

3. The Third Nonunanimous Stipulation and Agreement, filed on May 6, 2011, is approved as a resolution of the issues addressed in that stipulation and agreement. A copy of the stipulation and agreement is attached to this order.

4. This order shall become effective on June 1, 2011.

**BY THE COMMISSION**

( S E A L )



Steven C. Reed  
Secretary

Gunn, Chm., Clayton, Davis, Jarrett,  
and Kenney, CC., concur.

Woodruff, Chief Regulatory Law Judge