

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 6<sup>th</sup> day of  
July, 2011.

In the Matter of the Second True-Up Filing Under )  
the Commission-Approved Fuel Adjustment )  
Clause of Union Electric Company d/b/a )  
Ameren Missouri )

**File No. ER-2011-0321**

**ORDER RESOLVING SECOND TRUE-UP FILING**

Issue Date: July 6, 2011

Effective Date: July 14, 2011

On April 1, 2011, Union Electric Company d/b/a Ameren Missouri submitted an application to the Commission containing its second fuel adjustment clause true-up filing, as it is required to do by Commission Rules 4 CSR 240-3.161 and 240-20.090. Commission Rule 4 CSR 240-20.090(5)(D) requires the Commission's Staff to examine and analyze the information Ameren Missouri has submitted and to submit a recommendation to the Commission not later than 30 days after Ameren Missouri made its filing. Under that rule, the Commission must then act to approve, reject, or suspend Ameren Missouri's true-up filing within 60 days unless that timeline is suspended by the Commission. The Commission has suspended that timeline until July 14.

Staff's recommendation, filed on April 26, explains that this second true-up filing shares an issue previously presented to the Commission in file number ER-2010-0274, the case established to consider Ameren Missouri's first true-up filing. Staff recommended that the Commission resolve this second true-up filing in a manner consistent with its resolution of the first true-up filing.

More specifically, Staff indicated that it and Ameren Missouri agree that if the Commission determined the issue in ER-2010-0274 in favor of Ameren Missouri's position then the true-up amount for Recovery Period 2 is an under-collection by Ameren Missouri of \$2,097,030. Staff further recommends that the ordered true-up amount be included in the first FPA adjustment filing Ameren Missouri makes after the Commission's Report and Order in ER-2010-0274 is final and not reviewable.

By the terms of the Commission's regulation, all parties to Ameren Missouri's last rate case ER-2010-0036 are automatically parties to this case.<sup>1</sup> In an order issued on April 4, the Commission notified those parties of Ameren Missouri's filing and invited any other interested parties to apply to intervene by April 25. No additional party asked to intervene and no party responded to Staff's recommendation.

On June 29, the Commission issued a Report and Order in ER-2010-0274 that resolved the disputed issue in favor of Ameren Missouri's position. As part of that decision, the Commission specifically ordered Ameren Missouri to correct the erroneous calculation of its rates in all remaining true-up filings in which that erroneous calculation will have an impact, which includes this true-up filing. That Report and Order will become effective on July 9.

Since the Commission has now resolved the disputed issue in favor of Ameren Missouri's position in the previous true-up case, the Commission will follow that ruling in this case.

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<sup>1</sup> Commission Rule 4 CSR 20-20.090(5)(D).

**THE COMMISSION ORDERS THAT:**

1. The true-up amount for Recovery Period 2 is established as an under collection by Ameren Missouri of \$2,097,030.
2. Ameren Missouri shall include the Recovery Period 2 true-up amount in the first FPA adjustment filing Ameren Missouri makes after the Commission's Report and Order in File No. ER-2010-0274 becomes effective on July 9, 2011.
3. This order shall become effective on July 14, 2011.

( S E A L )

**BY THE COMMISSION**



Steven C. Reed  
Secretary

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

Woodruff, Chief Regulatory Law Judge