

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 15th day of May, 2013.

In the Matter of the True-Up of Union Electric)	
Company d/b/a Ameren Missouri's Fuel)	<u>File No. ER-2013-0434</u>
Adjustment Clause for the 9th Recovery Period)	Tariff No. YE-2013-0408

ORDER RESOLVING ANNUAL FUEL ADJUSTMENT CLAUSE TRUE-UP

Issue Date: May 15, 2013

Effective Date: May 24, 2013

On March 22, 2012, Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri"), submitted an application containing its ninth true-up filing for its Fuel Adjustment Clause ("FAC"), as required by Section 386.266.4(2) and Commission Rules 4 CSR 240-3.161(8) and 4 CSR 240-20.090(5). Ameren Missouri requests that the Commission authorize a true-up adjustment and implement it under its FAC tariff for the recovery period ending January 31, 2013. The submitted tariff bears an effective date of May 24, 2013.

The true-up amount of \$1,248,391 identified in this filing is the result of an over-collection during Recovery Period 9 ("RP9") that includes the billing months of June 2012 through January 2013. RP9 is the recovery period for and following Accumulation Period 9 ("AP9") that includes the period of October 1, 2011 through January 31, 2012. The \$1,248,391 true-up amount for RP9 is included in the calculation of the Fuel and Purchased Power Adjustment ("FPA") amount included in the Company's Accumulation

Period 12 (“AP12”) adjustment filing, also filed on March 22, 2013 in File No. ER-2013-0433, in compliance with Ameren Missouri’s FAC.¹

Staff examined the direct testimony of Jesse Francis, the supporting schedules Ameren Missouri provided with its application in this case, and the monthly information Ameren Missouri has submitted to the Commission. Staff also reviewed Ameren Missouri’s monthly interest calculations and agrees with them. Staff has verified that Ameren Missouri has filed its 2012 annual report and is not delinquent on any assessment. Ameren Missouri is current on the filing of its Surveillance Monitoring reports as required in 4 CSR 240-20.090(10) and its monthly reports as required by 4 CSR 240-3.161(5). Staff is not aware of any other matter before the Commission that affects or is affected by this filing, except as noted herein. Staff recommends the Commission approve Ameren Missouri’s RP9 true-up filing for the billing months June 2012 through January 2013 during which Ameren Missouri over-collected \$1,248,391 with interest from its customers for inclusion in the calculation of the FPA amount included in the Company’s AP12 adjustment filing in File No. ER-2013-0433.

Neither the governing statute² nor any other law requires a hearing before approving the unopposed application.³ Because this is a non-contested case, the

¹ Union Electric Company’s Schedule No. 5, Original Sheet No. 98.30: “TRUE-UP: After completion of each RP, the Company shall make a true-up filing on the same day as its FAR filing. Any true-up adjustments shall be reflected in item T above. Interest on the true-up adjustment will be included in I above. The true-up adjustments shall be the difference between the revenues billed and the revenues authorized for collection during the RP.”

² Section 386.266, RSMo Supp. 2012. This section provides for a hearing when the FAC is approved, modified or rejected. It does not require a hearing when annual true-ups are filed by the company. Commission Rule 4 CSR 240-20.090(5) states the Commission may hold a hearing if needed, one is not required.

³ Section 536.010(4), RSMo Supp. 2012, defines a contested as “a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing.” *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

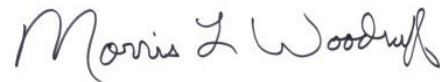
Commission acts on evidence that is not formally adduced and preserved.⁴ There is no evidentiary record.⁵ Consequently, the Commission bases its decision on the parties' verified filings.

Based on the Commission's independent and impartial review of the verified filings, the Commission finds that it is in the public interest to approve Ameren Missouri's application and authorize Ameren Missouri to include the calculated over-recovery in its next FAC accumulation period as previously described.

THE COMMISSION ORDERS THAT:

1. The true-up amounts for Recovery Period 9 are established as over-collections by Union Electric Company, d/b/a Ameren Missouri of \$1,248,391 and shall be reflected in the rate adjustment as approved in Commission File No. ER-2013-0433.
2. This order shall become effective on May 24, 2013.
3. This file shall close on May 25, 2013.

BY THE COMMISSION



Morris L. Woodruff
Secretary

R. Kenney, Chm., Jarrett and
W. Kenney, CC., concur.
Stoll, C., absent.

Bushmann, Regulatory Law Judge

⁴ *State ex rel. Public Counsel v. Public Service Comm'n*, 210 S.W.3d 344, 353-355 (Mo. App. 2006).

⁵ *Id.*