

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

Donald Taylor, et. al.,)	
)	
Complainants,)	
)	
v.)	Case No. EC-2006-0305
)	
Union Electric Company,)	
d/b/a AmerenUE,)	
)	
Respondent.)	

ANSWER OF AMERENUE

COMES NOW Union Electric Company d/b/a AmerenUE (“AmerenUE” or “Company”), and for its Answer to the Complaint filed in this proceeding, states as follows:

1. On January 23, 2006, Donald Taylor of 4825 Maffitt Ave; Alex Walters of 4833 Maffitt Ave; Minnie Henderson of 4831 Maffitt Ave; Stephen Carroll of 4819 Maffitt Ave and Michael McClinton of 4823 Maffitt Ave, all of St. Louis, Missouri 63136 (“Complainants”) initiated this proceeding by filing a joint Complaint (“Complaint”) against AmerenUE.

2. In paragraph 1 of the Complaint, Complainants allege that AmerenUE is located in St. Louis, Missouri, and that AmerenUE is a public utility under the jurisdiction and supervision of the Public Service Commission of the State of Missouri. AmerenUE admits the allegations contained in paragraph 1 of the Complaint.

3. In paragraph 2 of the Complaint, Complainants allege that AmerenUE is solely and totally responsible for a damage suffered by Complainants to various electric appliances and equipment because of power surges which occurred on August 13, 2005. Complainants allege

that these surges were due to neglect and poor vegetation management. Complainants request the following relief: Complainant Taylor requests \$4,456.67; Complainant McClinton requests \$1,303.43; Complainant Walters requests \$600.00; Complainant Henderson requests \$3,000.00 and Complainant Carroll requests \$465.00.

4. Attached to the complaint are several pages of documentation. The attachments include:

- A statement by Complainant Taylor along with receipts and estimates for repair or replacement of items in the amount of \$4,456.67.
- A statement by Complainant McClinton along with a listing of dollar amounts for damaged items. There are no receipts or estimates attached to support these amounts.
- A statement by Complainant Walters. The statement does not contain a dollar amount for the damage claims or even list what items were damaged. There are no receipts or estimates.
- There is no statement from either Complainant Henderson or Complainant Carroll, nor are there any receipts or estimates.

5. AmerenUE denies the allegations of neglect and poor vegetative management contained within paragraph two of the Complaint.

6. First, the surges experienced on August 13, 2005 were a result of a large storm on that date which greatly impacted the AmerenUE system in St Louis.

7. AmerenUE's tariff explicitly states that AmerenUE is not responsible for damage which is the result of these types of occurrences, which includes damages resulting from surges

experienced during a storm. In AmerenUE's General Rules and Regulations, Schedule No. 5, 7th Revised, Sheet 138, the tariff states:

Company will make all reasonable efforts to provide the service requested on an adequate and continuous basis, but will not be liable for service interruptions, deficiencies or imperfections which result from conditions which are beyond the reasonable control of the Company. The Company cannot guarantee the service as to continuity, freedom from voltage and frequency variations, reversal of phase rotation or singlephasing. The Company will not be responsible or liable for damages to customer's apparatus resulting from failure or imperfection of service beyond the reasonable control of the Company. In cases where such failure or imperfection of service might damage customer's apparatus, customer should install suitable protective equipment.

8. AmerenUE submits that it has made all reasonable efforts to provide service on an adequate and continuous basis and that Complainants allegation of "neglect and poor vegetation management" is untrue.

9. Finally, AmerenUE points out that although all Complainants list a dollar amount for damages on the Complaint form, only one Complainant provided receipts and/or estimates to substantiate the claim. Two of the Complainants fail to provide even a statement of what type of damage occurred. AmerenUE believes this to be information that Complainants have a burden to provide, otherwise AmerenUE has no basis on which to analyze the claim or the alleged damage amounts.

10. AmerenUE believes that it has, at all times, acted properly and asks the Commission find this Complaint to be without merit.

WHEREFORE, AmerenUE respectfully requests that the Commission issue its order finding the Complaint to be without merit. In the alternative, AmerenUE requests that the Commission schedule a hearing in this proceeding.

Respectfully submitted,

UNION ELECTRIC COMPANY,
d/b/a AmerenUE

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Dated: February 22, 2006

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Entry of Appearance was served via electronic filing and electronic mail (e-mail) or via regular mail on this 22 day of February, 2006, to:

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