

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

In the Matter of the Application of Union Electric)	
Company d/b/a Ameren Missouri for the Issuance)	
Of an Accounting Authority Order Relating to its)	<u>File No. EU-2012-0027</u>
Electrical Operations.)	

STAFF REPLY TO AMEREN MISSOURI'S SEPTEMBER 9, 2013 FILING

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), through the Staff Counsel's Office, and for its Reply to the September 9, 2013 filing of Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") states as follows:

1. Ameren Missouri states in paragraph 1 of its September 9, 2013 filing that there have been further developments in this case since July 8, 2013 when Ameren Missouri filed its initial response to the Commission's *Order Directing Filing* and that it was replying on September 9, 2013 in particular to "the Commission's August 28, 2013 Agenda discussion during which Regulatory Law Judge Jordan suggested to the Commissioners that a Company did not need for the Commission to issue an accounting authority order ('AAO') to record a regulatory asset that could then be considered for recovery in a later general rate proceeding." Ameren Missouri in its September 9, 2013 filing then proceeds to principally argue its disagreement with Regulatory Law Judge Jordan, and occasionally facets of its case in chief, over nine pages of its cover pleading. Ameren Missouri also attaches two affidavits, one from one of its witnesses in this case and another affidavit of an individual who has not previously filed in File No. EU-2012-0027.

2. The Staff suggests to the Commission that Regulatory Law Judge Jordan has raised what the Staff would generally call a possible “unidentified - untried issue.” The parties to the case did not raise the matter he has raised as an issue, and the Commissioners and/or the Regulatory Law Judge did not raise the matter as an issue for the parties to address while the record was open. There is no record on this matter other than the filing made by Ameren Missouri on September 9, 2013. The Staff suggests to the Commission that File No. EU-2012-0027 can be decided without addressing the matter raised by Regulatory Law Judge Jordan and Ameren Missouri’s September 9, 2013 filing.

3. As for Ameren Missouri’s excursions in its cover pleading into arguments regarding the case in chief, rather than repeat substantive arguments, the Staff would refer the Commissioners to the July 8, 2013 *Joint Response Of Public Counsel, Staff, And Missouri Industrial Energy Consumers To Order Directing Filing*, which addressed the opinion of the Western District Court of Appeals handed down on May 14, 2013 in *State ex rel. Union Electric Co. v. Public Serv. Comm’n*, 399 S.W.3d 467 (Mo.App. W.D. 2013) addressing Commission’s Report and Order in File No. EO-2010-0255, respecting the AEP Operating Companies and Wabash Valley Power Association, Inc. contracts.

WHEREFORE, the Staff replies to Ameren Missouri’s Supplemental Response To Order Directing Filing, which was filed with the Commission on September 9, 2013.

Respectfully submitted,

/s/ Steven Dottheim

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ATTORNEY FOR THE STAFF OF THE
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing *Staff Response To Ameren Missouri's September 9, 2013 Filing* have been transmitted electronically to all counsel of record this 10th day of September, 2013.

/s/ Steven Dottheim