

Exhibit # ____

**In the Matter of a Proposed Amendment to 4 CSR 240-18.010 Safety
Standards for Electric Utilities, Telecommunications Companies and
Rural Electric Cooperatives**

FILED

December 30, 2003 Public Hearing

JAN 08 2004

Case No. EX-2003-0368

**Missouri Public
Service Commission**

**Suggested Changes to the Proposed Amendment &
Missouri Public Service Commission Staff Responses**

By Warren T. Wood, PE
Energy Department Manager
Missouri Public Service Commission Staff

This proposed amendment was published in the Missouri Register on November 17, 2003. The public comment period on this proposed amendment ended December 17, 2003. This exhibit details the comments filed by parties other than Staff and Staff's responses to those comments. Staff is not currently recommending any changes be made to the proposed amendment as published in the Missouri Register on November 17, 2003 in response to the comments received.

**1) Michael F. Barnes, Attorney for Union Electric Company, 1901 Chouteau M/C
1310, St. Louis, MO 63103, (314) 554-2552**

a) In the November 17, 2003, issue of the Missouri Register, the Missouri Public Service Commission ("Commission") published its proposed amendment to 4 CSR 240-18.010. The Commission proposed to adopt as its rule and incorporate by reference Parts 1, 2 and 3 and Sections 1, 2 and 9 of the 2002 edition of the National Electric Safety Code. Union Electric Company d/b/a AmerenUE fully supports the adoption of the 2002 edition. It is vitally important – for the electric utilities, the public and the commission – that the latest edition of the code be in force.

Staff Response

Staff agrees with this comment.

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b) The proposed amendment includes a new paragraph (3) that references the incident reporting requirements of the newly proposed rule, 4 CSR 240-3.190(4). Union Electric is commenting separately on that new rule, and does not support it in the context of 18.010.

Staff Response

This comment appears to be in opposition to the rulemaking related to 4 CSR 240-3.190 and will be responded to separately in that proceeding. Staff believes that the reference to the incident reporting requirements in this proposed amendment is appropriate as it provides a cross reference to the reporting requirement in the safety standards rule.

2) Dean L. Cooper, Attorney w/Brydon, Swearingen & England on Behalf of the Empire District Electric Company, 312 East Capitol Avenue, PO Box 456, Jefferson City, MO 65102-0456, (573) 635-7166

a) Proposed Section (3) of this rule references the reporting requirements found in 4 CSR 240-3.190(4). Empire's comments with regard to the Reporting Requirement rule are being filed in Case No. EX-2003-0489.

Staff Response

This comment appears to be in opposition to the rulemaking related to 4 CSR 240-3.190 and will be responded to separately in that proceeding.