

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 4<sup>th</sup> day of September, 2013.

In the Matter of the True-Up of Union Electric	)	
Company d/b/a Ameren Missouri's Fuel	)	<b>File No. ER-2014-0023</b>
Adjustment Clause for the 10th Recovery Period	)	Tariff No. JE-2014-0042

**ORDER RESOLVING ANNUAL FUEL ADJUSTMENT CLAUSE TRUE-UP**

Issue Date: September 4, 2013

Effective Date: September 24, 2013

On July 26, 2013, Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri"), submitted an application containing its tenth true-up filing for its Fuel Adjustment Clause ("FAC"), as required by Section 386.266.4(2), RSMo Supp. 2012, 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 May 31, 2013. The submitted tariff bears an effective date of September 24, 2013.

The true-up amount of \$757,033 identified in this filing is the result of an under-collection during Recovery Period 10 ("RP10") that includes the billing months of October 2012 through May 2013. RP10 is the recovery period for and following Accumulation Period 10 ("AP10") that includes the period of February 1, 2012 through May 31, 2012. The \$757,033 true-up amount for RP10 is included in the calculation of the Fuel and Purchased Power Adjustment ("FPA") amount included in the Company's

Accumulation Period 13 (“AP13”) adjustment filing, also filed on July 26, 2013 in File No. ER-2014-0022, in compliance with Ameren Missouri’s FAC.<sup>1</sup>

Staff examined the direct testimony of Erik C. Wenberg, 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 RP10 true-up filing for the billing months October 2012 through May 2013 during which Ameren Missouri under-collected \$757,033 from its customers for inclusion in the calculation of the FPA amount included in the Company’s AP13 adjustment filing in File No. ER-2014-0022.

Neither the governing statute<sup>2</sup> nor any other law requires a hearing before approving the unopposed application.<sup>3</sup> Because this is a non-contested case, the

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<sup>1</sup> Union Electric Company’s Schedule No. 5, Original Sheet No. 72.8: “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.”

<sup>2</sup> 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.

<sup>3</sup> 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.<sup>4</sup> There is no evidentiary record.<sup>5</sup> 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 under-recovery in its next FAC accumulation period as previously described.

**THE COMMISSION ORDERS THAT:**

1. The true-up amounts for Recovery Period 10 are established as under-collections by Union Electric Company, d/b/a Ameren Missouri of \$757,033 and shall be reflected in the rate adjustment as approved in Commission File No. ER-2014-0022.
2. This order shall become effective on September 24, 2013.
3. This file shall close on September 25, 2013.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

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

Bushmann, Regulatory Law Judge

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

<sup>5</sup> *Id.*