

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 24th day of
September, 2013.

In the Matter of the Adjustment of Union Electric Company)
d/b/a Ameren Missouri's Fuel Adjustment Clause for the)
13th Accumulation Period) **File No. ER-2014-0022**

**ORDER DENYING APPLICATIONS FOR REHEARING AND
MOTIONS FOR EXPEDITED TREATMENT**

Issue Date: September 24, 2013

Effective Date: September 24, 2013

On September 4, 2013, the Missouri Public Service Commission issued an order effective September 24, 2013, regarding Union Electric Company d/b/a Ameren Missouri's tariff designed to implement an adjustment to its fuel adjustment rates pursuant to its fuel adjustment clause. On September 10, 2013, the Missouri Industrial Energy Consumers and the Office of Public Counsel jointly filed a timely application for rehearing and a motion for expedited treatment of their application for rehearing, and on September 13, 2013 the Consumers Council of Missouri filed a similar application for rehearing (hereafter collectively, the "Applicants"). Applicants filed a supplemental joint motion for expedited treatment on September 12, 2013. Staff responded to the applications for rehearing on September 13, 2013, stating that the customer refund ordered by the Commission in File No. EO-2012-0074 was not appropriate to be included in the adjusted rates in this case because the timing of the filings in the two cases made a refund in this case premature.

The Missouri Industrial Energy Consumers and the Office of Public Counsel filed a motion for expedited treatment pursuant to Commission Rule 4 CSR 240-2.080(14),

requesting that the Commission provide the relief requested in the joint application for rehearing at its regular agenda meeting scheduled at 9:30 a.m. on September 11, 2013. These parties filed their motion at 5:29 p.m. on September 10, 2013. The Commission did not take action on September 11, 2013 regarding the request because the parties did not provide the Commission with sufficient time to review and consider the application for rehearing and motion for expedited treatment prior to the agenda meeting. In addition, the motion was filed after the Commission had already given notice to the public of the meeting agenda pursuant to Section 610.020, RSMo 2000. There were no public Commission meetings held between September 11, 2013 and the September 24, 2013 effective date of the Commission's *Order Regarding Fuel Adjustment Clause Tariff*. Since that effective date has now passed and the motion is moot, the Commission will deny the motion for expedited treatment.

Applicants filed a joint supplemental motion for expedited treatment on September 12, 2013, requesting that the Commission set a special agenda meeting on or before Saturday September 14, 2013 to consider their applications for rehearing. There was not sufficient time to review and consider the motion, schedule and provide notice of a public meeting, and act on Applicants' motion within the timeframe requested by Applicants. The Commission will deny the supplemental motion for expedited treatment for the same reasons as stated above for the similar motion.

Section 386.500.1, RSMo 2000, provides that the Commission shall grant an application for rehearing if "in its judgment sufficient reason therefor be made to appear." It is not appropriate to include the customer refund ordered by the Commission in File No. EO-2012-0074 in fuel adjustment rates at this time because that order was issued after the filing of this case. Missouri ratepayers will not be harmed by a short delay in

implementing the refund because the order in File No. EO-2012-0074 requires the refund amount to accrue interest until repaid for the benefit of the ratepayers. In the judgment of the Commission, Applicants have not shown sufficient reason to rehear the order. The Commission will deny the applications for rehearing.

THE COMMISSION ORDERS THAT:

1. The Missouri Industrial Energy Consumers and the Office of Public Counsel's *Joint Motion for Expedited Treatment of Their Joint Application for Rehearing* is denied.
2. The Missouri Industrial Energy Consumers, the Office of Public Counsel and Consumers Council of Missouri's *Joint Supplemental Motion for Expedited Treatment of their Joint Application for Rehearing* is denied.
3. The Applications for Rehearing filed by the Missouri Industrial Energy Consumers, the Office of Public Counsel and Consumers Council of Missouri are denied.
4. This order shall become effective immediately upon issuance.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

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

Bushmann, Regulatory Law Judge