One Ameren Plaza 1901 Chouteau Avenue PO Box 66149 St. Louis, MO 63166-6149 314.621.3222

314.554.2223 314.554.4014 (fax) JBRAUER@AMEREN.COM

August 19, 1999

VIA FEDERAL EXPRESS

Mr. Dale Hardy Roberts Secretary/Chief Regulatory Law Judge P. O. Box 360 Jefferson City, MO 65102

Re: MPSC Case No. EC-2000-19

Xenia Waymire-Williams v. AmerenUE

Dear Mr. Roberts:

Enclosed for filing on behalf of Union Electric Company, d/b/a AmerenUE, in the above matter please find an original and fourteen (14) copies of its Answer.

Kindly acknowledge receipt of this filing by stamping a copy of the enclosed letter and returning it to me in the enclosed self-addressed envelope.

Very truly yours,

Enclosure(s)

cc: Office of Public Counsel

Xenia Waymire-Williams



BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI



XENIA WAYMIRE-WILLIAMS,) Service Commission
Complainant,))
v.) Case No. EC-2000-19
AMEREN UE,)
Respondent.)

ANSWER OF UNION ELECTRIC COMPANY

Comes now AmerenUE and for its Answer to Complainant's "Complaint" states as follows:

- 1. Concerning Paragraph 1, AmerenUE admits that it is a public utility under the jurisdiction of the Public Service Commission of the State of Missouri.
- 2. Concerning Paragraph 2, AmerenUE admits that it requested deposits for the account at 3503 Itaska, but notes the proper dates and amounts are as follows: February 1998, \$152.00, June 1998, \$86.00, April 1999, \$470.00. Attached hereto and incorporated herein by reference as Attachment 1 is a copy of the customer account reflecting said deposits. AmerenUE denies all other allegations and averments in Paragraph 1.

In further answer to the Complaint, AmerenUE states as follows:

1. Attachment 2, attached hereto and made a part hereof, consists of AmerenUE's electric tariff sheets governing deposit practices for residential customers. Paragraph A. 2. entitled Deposit Requirements for Continued Service reads as follows:

Company may, as a condition of continued service, require any residential customer to make a cash deposit or furnish a written guarantee of a responsible party, due to any of the following:

a. The service of the customer has been disconnected for nonpayment of a delinquent account not subject to a bona fide dispute;

Paragraph C. entitled General Provisions reads as follows:

1. Deposit limits - A deposit for initial service...When a deposit is required as a condition for continued service, the deposit will not exceed two times the highest bona fide undisputed bill of that residential or non-residential customer during the proceeding twelve month...

The Commission's applicable rule is found at 4 CSR 240-13.030, a copy of which is

Attachment 3, attached hereto and made a part hereof. Rule 4 CSR 240-13.030 reads similar to the above quoted portions of the tariff; therefore, it has not been fully set forth herein, but is nonetheless incorporated herein by reference.

- 2. Complainant has never disputed any of the amounts owed AmerenUE for the supply of electrical service.
- 3. With respect to the deposits requested in 1998, neither deposit was ever paid to AmerenUE. On November 2, 1998, in accordance with the provisions of Cold Weather Maintenance of Service, the account was credited \$238.00, the sum of the two requested deposits. See, Attachment 1.
- 4. Electrical service for this account was discontinued for non-payment on April 12, 1999, and again on June 10, 1999. Neither of those disconnects were disputed. In accordance with its rights AmerenUE requested a deposit on the account of two times the highest bill. Attached hereto and made a part hereof by reference is Attachment 4, a copy of the billing history for the past twelve months reflecting that the highest bill was just over \$235.00; therefore, the request by AmerenUE for a deposit of \$470.00 was proper.
- 5. Complainant called AmerenUE and informed them that this account could be closed due to relocation. Upon such notice AmerenUE credited the account the remaining balance due on the

- 2 -

deposit, \$421.00. See, Attachment 1. The balance due and owing, as well as the \$49.00 held as deposit was transferred to Complainant's new account. Attachment 5, attached hereto and incorporated herein by reference, reflects the balance transfer into the new account and the deposit on said account.

WHEREFORE, AmerenUE requests that this Complaint be dismissed as it acted prudently and followed the rules of the Commission as they apply to deposits and residential customers.

Furthermore, since Complainant has relocated and the account has been properly credited and transferred, the issues represented in this Complaint are now moot.

Respectfully submitted,

UNION ELECTRIC COMPANY d/b/a AmerenUE

M. Jacqueline Brauer, MBE #42432

Attorney for AmerenUE

Ameren Services Company 1901 Chouteau Avenue P.O. Box 66149 (MC 1320)

St. Louis, MO 63166-6149

(314) 554-2223 (phone)

(314) 554-6617 (fax)

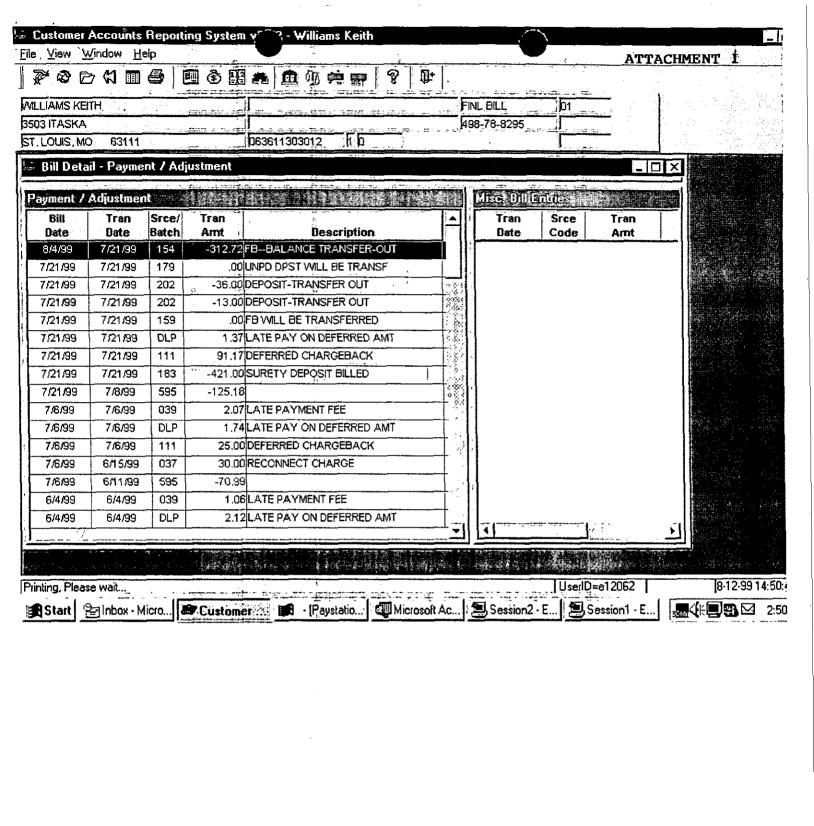
CERTIFICATE OF SERVICE

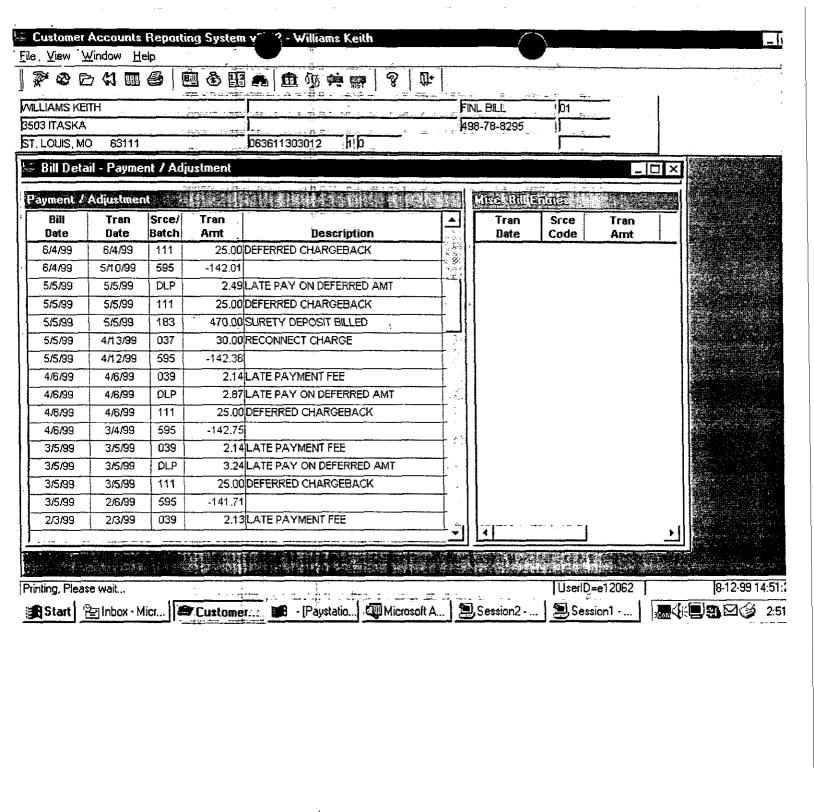
I hereby certify that a copy of the foregoing document was served by first-class U.S. mail, postage prepaid, on this 18th day of August 1999, on:

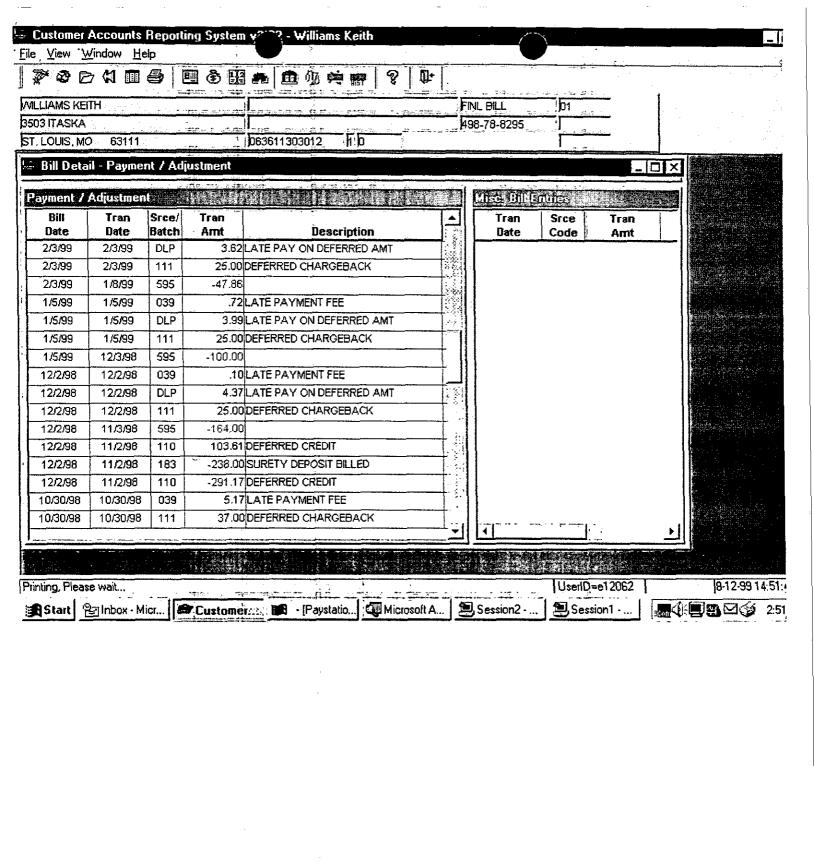
Secretary of the Public Service Commission PO Box 360 Jefferson City, Missouri 65102-0360

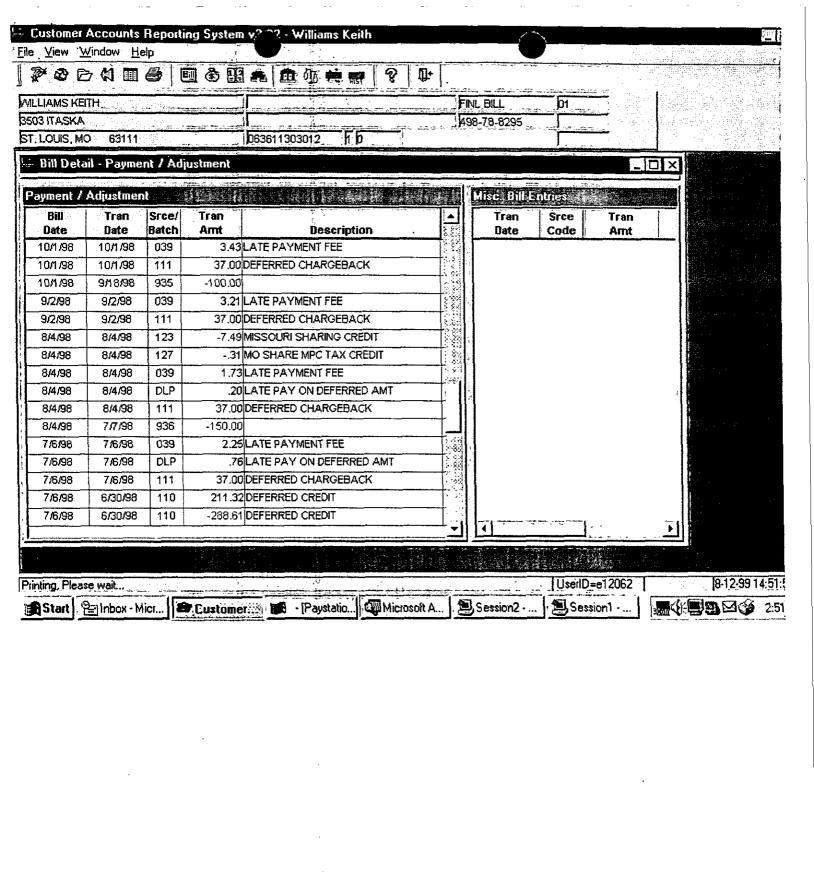
Xenia Waymire-Williams 2286 Jackson Dr., Apt. D Arnold, Missouri 63010

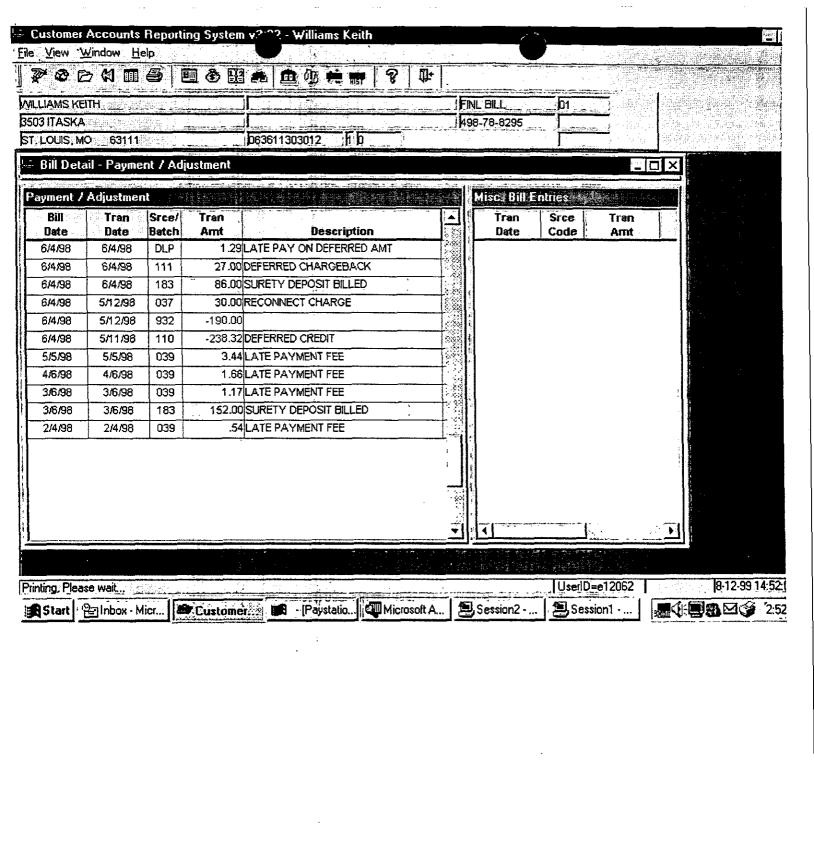
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CANCELLING SCHEDULE NO. __ 5

ELECTRIC SERVICE

P. S. C. MO., ILL. C. C., IA. ST. C. C. SCHEDULE NO	2nd Revised	SHEET NO. <u>177</u>
CANCELLING SCHEDULE NO5_	lst Revised	SHEET NO. 177

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MISSOURI SERVICE AREA

GENERAL RULES AND REGULATIONS VI. DEPOSIT PRACTICES

- The service of the customer has been disconnected for a. nonpayment of a delinquent account not subject to a bona fide dispute;
- The customer has in an unauthorized manner tampered b. with the Company's facilities or interfered with or diverted the service of Company situated on or about or delivered to the customer's premises;
- *c. The customer has failed to pay an undisputed bill on or before the delinquency date for five billing periods out of twelve consecutive billing periods; provided, however, that deposit requirements during the months of November, December, and January for reasons other than unauthorized use or diversion of service, may, if the customer is unable to pay the entire deposit, be paid by installments over a six month period, unless the Company can show a likelihood that the customer does not intend to pay for continued The Company shall not assess new deposits nor bill previously assessed deposits to customers who enter into and make timely payments in accordance with Missouri Public Service Commission's Weather" rule.
- Prior to requiring a customer to post a deposit, Company shall send the customer a written notice explaining the Company's right to require a deposit or explanation with include such discontinuance notice.

Non-Residential Customers

*Indicates Change **Indicates Addition

NAME OF OFFICER

Company may at any time, as a condition to furnishing or continuing service, require any customer or applicant for nonresidential service to make a cash deposit or, at Company's option, furnish a personal guarantee of a responsible party with established credit satisfactory to Company.

C. General Provisions

*1. Deposit limits - A deposit for initial service will not exceed the charges applicable for one-sixth (1/6) of the estimated annual bill for residential customers, and usage during one estimated maximum monthly billing period plus thirty days for non-residential customers. When a deposit is required as a

P.S.C. Mo. DATE OF ISSUE	October 7, 1994	DATE EFFECTIVE	Nove	ember 6	1994	
ILL. C.C. DATE OF ISSUE		DATE EFFECTIVE		<u> </u>	_	
IA.ST.C.C. DATE OF ISSUE		DATE EFFECTIVE				
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CANCELLING SCHEDULE	на. <u>5</u>	<u>lst Revise</u>
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SHEET NO. 176

APPLYING TO .

MISSOURI SERVICE AREA

VI. DEPOSIT PRACTICES

A. Residential Customers

- 1. Deposit requirements for initial service Company may, as a condition to furnishing service initially, require any applicant for residential service to make a cash deposit or furnish a written guarantee of a responsible party, due to any of the following:
 - a. The customer has outstanding with the Company or any other utility providing the same type of service, an unpaid service account which accrued within the last five years and at the time of the request for service said account remains unpaid and not subject to a bona fide dispute;
 - b. Within the last five years, the customer has in an unauthorized manner interfered with or diverted the service of the Company or any other utility providing the same service;
 - c. The customer is unable to establish an acceptable credit rating by meeting any of the following criteria:
 - i. Owns or is purchasing a home;
 - ii. Is and has been regularly employed on a full-time basis for at least one year;
 - iii. Has an adequate regular source of income;
 - iv. Can provide adequate credit references from a commercial credit source.
 - 2. Deposit requirements for continued service Company may, as a condition of continued service, require any residential customer to make a cash deposit or furnish a written guarantee of a responsible party, due to any of the following:

P.S.C. Mo.	DATE OF ISSUE	March 30, 199	DATE EFFECTIVE _	May	5, 1990	<u> </u>
ILL. C.C.	DATE OF ISSUE		DATE EFFECTIVE	 -	<u> </u>	
IA. ST, C.C.	DATE OF ISSUE		DATE EFFECTIVE_			
[#5UEO 6Y	William F	Čorno 1 i u a	Chairman	٠,	Tauria	Miccouri

TITLE

NAME OF OFFICER



change and the months during which the forthcoming seasonal rate will be in effect.

Auth: sections 386.250(6), RSMo (Cum. Supp. 1991) 393.140(11), RSMo (1986).* Original rule filed Dec. 19, 1975, effective Dec. 30, 1975. Amended: Filed Oct. 14, 1977, effective Jan. 13, 1978. Rescinded and readopted: Filed Sept. 22, 1993, effective July 10, 1994.

*Original authority: 386.250(6), RSMo (1939), amended 1963, 1967, 1980, 1987, 1988, 1991 and 393.140(II), RSMo (1939), amended 1949, 1967.

4 CSR 240-13.025 Billing Adjustments

PURPOSE: This rule establishes billing adjustments in the event of an overcharge or an undercharge.

- (1) For all billing errors, the utility will determine from all related and available information the probable period during which this condition existed and shall make billing adjustments for the estimated period involved as follows:
- (A) In the event of an overcharge, an adjustment shall be made for the entire period that the overcharge can be shown to have existed not to exceed sixty (60) consecutive monthly billing periods, or twenty (20) consecutive quarterly billing periods, calculated from the date of discovery, inquiry or actual notification of the utility, whichever comes first;
- (B) In the event of an undercharge, an adjustment shall be made for the entire period that the undercharge can be shown to have existed not to exceed twelve (12) monthly billing periods or four (4) quarterly billing periods, calculated from the date of discovery, inquiry or actual notification of the utility, whichever was first;
- (C) No billing adjustment will be made where the full amount of the adjustment is less than one dollar (\$1):
- (D) Where, upon test, an error in measurement is found to be within the limits prescribed by commission rules, no billing adjustment will be made; and
- (E) When evidence of tampering is found, or there are misrepresentations of the use of service by the customer, the utility will calculate the billing adjustment period in accordance with the applicable statute of limitations for the prosecution of such claim after determining the probable period during which such condition existed from all related and available information.

Auth: section 393.140(11), RSMo (1986).* Original rule filed Sept. 22. 1993, effective July 10, 1994.

*Original authority 1939, amended 1940, 1967.

CSR 240-13.030 Deposits and Guarantees of Payment

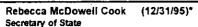
PURPOSE: This rule establishes reasonable and uniform standards regarding deposits and guarantees required by

- (1) A utility may require a deposit or other guarantee as a condition of new residential service if-
- (A) The customer has outstanding with a utility providing the same type of service, an unpaid bill which accrued within the last five (5) years and, at the time of the request for service, remains unpaid and not in dispute:
- (B) The customer has in an unauthorized manner interfered with or diverted the service of a utility providing the same service situated on or about or delivered to the customer's premises within the last five (5) years; or
- (C) The customer is unable to establish an acceptable credit rating under standards contained in tariffs filed with and approved by the commission. The customer shall be deemed prima facie to have established an acceptable credit rating if the customer meets any of the following criteria:
 - 1. Owns or is purchasing a home;
- 2. Is and has been regularly employed on a full-time basis for at least one (1) year;
- 3. Has an adequate regular source of income: or
- 4. Can provide adequate credit references from a commercial credit source.
- (2) A utility may require a deposit or guarantee as a condition of continued residential service if-
- (A) The service of the customer has been discontinued by the utility for nonpayment of a delinquent account not in dispute:
- (B) In an unauthorized manner, the customer interfered with or diverted the service of the utility situated on or about or delivered to the customer's premises; or
- (C) The customer has failed to pay an undisputed bill on or before the delinquent date for five (5) billing periods out of twelve (12) consecutive monthly billing periods, or two (2) quarters out of four (4) consecutive quarters. Prior to requiring a customer to post a deposit under this subsection, the utility shall send the customer a written notice explaining the utility's right to require a

deposit or include such explanation with each written discontinuance notice.

- (3) Deposits for gas and electric service assessed under the provisions of subsection (2)(A) or (C) of this rule during the months of November, December and January may be paid, if the customer is unable to pay the entire deposit, by installments over a six (6)-month period.
- (4) A deposit shall be subject to the following
- (A) It shall not exceed two (2) times the highest bill for utility charges actually incurred or estimated to be incurred by the customer during the most proximate twelve (12)-month period at the service location or, in the case of a new customer, who is assessed a deposit under subsection (1)(C) of this rule, one-sixth (1/6) of the estimated annual bill for monthly billed customers and one-third (1/3) of the estimated annual bill for quarterly billed customers for utility charges at the requested service location;
- (B) It shall bear interest at a rate specified in utility tariffs, approved by the commission, which shall be credited annually upon the account of the customer or paid upon the return of the deposit, whichever occurs first. Interest shall not accrue on any deposit after the date on which a reasonable effort has been made to return it to the customer. Records shall be kept of efforts to return a deposit. This rule shall not preclude a utility from crediting interest upon each service account during one (1) billing cycle annually;
- (C) Upon discontinuance or termination other than for a change of service address, it shall be credited, with accrued interest, to the utility charges stated on the final bill and the balance, if any, shall be returned to the customer within twenty-one (21) days of the rendition of the final bill;
- (D) Upon satisfactory payment of all undisputed utility charges during the last twelve (12) billing months, it shall be promptly refunded or credited, with accrued interest, against charges stated on subsequent bills. Payment of a charge is satisfactory if received prior to the date upon which the charge becomes delinquent provided it is not in dispute. Payment of a disputed bill shall be satisfactory if made within ten (10) days of resolution or withdrawal of the dispute. A utility may withhold refund of a deposit pending the resolution of a dispute with respect to charges secured by the deposit;
- (E) A utility shall maintain records which show the name of each customer who has posted a deposit, the current address of the customer, the date and amount of deposit, the







date and amount of interest paid and information to determine the earliest possible refund date;

- (F) Each customer posting a security deposit shall receive, in writing, at the time of tender of deposit or with the first bill a receipt as evidence of deposit, unless the utility shows the existence or nonexistence of a deposit on the customer's bill, in which event the receipt shall not be required unless requested by the customer. The receipt shall contain the following minimum information:
 - 1. Name of customer;
 - 2. Date of payment;
 - 3. Amount of payment;
- 4. Identifiable name, signature and title of the utility employee receiving payment; and
- 5. Statement of the terms and conditions governing the payment, retention and return of deposits;
- (G) A utility shall provide means where a person entitled to a return of a deposit is not deprived of the deposit refund even though s/he may be unable to produce the original receipt for the deposit; provided, s/he can produce adequate identification to ensure that s/he is the customer entitled to refund of the deposit;
- (H) No deposit or guarantee or additional deposit or guarantee shall be required by a utility because of race, sex, creed, national origin, marital status, age, number of dependents, source of income, disability or geographical area of residence; and
- (I) A utility shall provide means where a customer required to make a deposit may pay the deposit in installments unless the utility can show a likelihood that the customer does not intend to pay for the service.
- (5) In lieu of a deposit, a utility may accept a written guarantee. The limit of the guarantee shall not exceed the amount of a cash deposit.
- (6) A guarantor shall be released upon satisfactory payment of all undisputed utility charges during the last twelve (12) billing months. Payment of a charge is satisfactory if received prior to the date upon which the charge becomes delinquent provided it is not in dispute. Payment of a disputed bill shall be satisfactory if made within ten (10) days of resolution or withdrawal of the dispute.

Auth: sections 386.250(6), RSMo (Cum. Supp. 1991) and 393.140(II), RSMo (1986).* Original rule filed Dec. 19, 1975, effective Dec. 30, 1975. Amended: Filed Oct. 14, 1977, effective Jan. 13, 1978. Amended: Filed June 10, 1992, effective Feb. 26, 1993. Rescinded and readopted: Filed Sept. 22, 1993, effective July 10, 1994.

*Original authority: 386.250(6), RSMo (1939),

amended 1963, 1967, 1977, 1980, 1987, 1988, 1991 and 393.140(II), RSMo (1939), amended 1949, 1967.

4 CSR 240-13.040 Inquiries

PURPOSE: This rule establishes procedures to be followed when customers make inquiries of utilities so the inquiries are handled in a reasonable manner.

- (1) A utility shall adopt procedures which will ensure the prompt and thorough receipt, investigation and, where possible, resolution of inquiries. The utility shall submit the procedures to the commission and the utility shall notify the commission and the public counsel of any substantive changes in these procedures prior to implementation.
- (2) A utility shall establish personnel procedures which, at a minimum, insure that—
- (A) Qualified personnel shall be available and prepared at all times during normal business hours to receive and respond to all customer inquiries, service requests and complaints. A utility shall make necessary arrangements to insure that customers unable to communicate in the English language receive assistance;
- (B) Qualified personnel responsible for and authorized to enter into written agreements on behalf of the utility shall be available at all times during normal business hours to respond to customer inquiries and complaints;
- (C) Qualified personnel shall be available at all times to receive and initiate response to customer contacts regarding any discontinuance of service or emergency condition occurring within the utility's service area; and
- (D) Names, addresses and telephone numbers of personnel designated and authorized to receive and respond to the requests and directives of the commission regarding customer inquiries, service requests and complaints shall be provided to the commission.
- (3) A utility shall prepare, in written form, information which in layman's terms summarizes the rights and responsibilities of the utility and its customers in accordance with this chapter. The form shall be submitted to the consumer services department of the Missouri Public Service Commission, and to the Office of the Public Counsel. This written information shall be displayed prominently, and shall be available at all utility office locations open to the general public, and shall be mailed or otherwise delivered to each residential customer of the utility if requested by the customer. The information shall be delivered or mailed to each new customer of the

utility upon the commencement of service and shall be available at all times upon request. The written information shall indicate conspicuously that it is being provided in accordance with the rules of the commission, and shall contain information concerning, but not limited to:

- (A) Billing and estimated billing procedures:
- (B) Methods for customer verification of billing accuracy;
- (C) Customer payment requirements and procedures;
 - (D) Deposit and guarantee requirements;
- (E) Conditions of termination, discontinuance and reconnection of service;
 - (F) Procedures for handling inquiries;
- (G) Explanation of meter reading procedures which would enable a customer to read his/her own meter;
- (H) A procedure where a customer may avoid discontinuance of service during a period of absence;
- (I) Complaint procedures under 4 CSR 240-2.070;
- (J) The telephone number and address of a customer services office of the Missouri Public Service Commission, the commission's 800 telephone number, and the statement that the company is regulated by the Missouri Public Service Commission;
- (K) The address and telephone number of the Office of Public Counsel and a statement of the function of that office; and
- (L) If the utility is a gas distribution company, an explanation of the function of the purchased gas adjustment clause.
- (4) At all of its public business offices, a utility shall make available for public inspection a copy of this chapter and the utility's tariffs. At these offices, conspicuous signs shall be posted which indicate that this information is available for public inspection.
- (5) A utility shall maintain records on its customers for at least two (2) years which contain information concerning:
- (A) The payment performance of each of its customers for each billing period;
- (B) The number and general description of complaints registered with the utility;
- (C) The number of settlement agreements made by the utility;
- (D) The actual number of discontinuances of service due to each of the following categories of reasons:
- 1. The customer's failure to keep a settlement agreement or cold weather rule payment agreement;
- The customer's failure to make any other required utility payment;
- 3. Unauthorized interference, diversion or use of utility service; and

ATTACHMENT 4

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MPC 1.91

SALES .75

DEFR 23.00

FB/TR 312.72

ARRS 91.70-

TOTAL 276.55

TRANSFERRED FROM 0636 113 0301 2

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