

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

In the Matter of the Adjustment of Union Electric     )  
Company d/b/a Ameren Missouri's Fuel Adjustment     )     File No. ER-2014-0022  
Clause for the 13th Accumulation Period             )     Tariff No. JE-2014-0042

**MIEC'S REPLY TO AMEREN MISSOURI'S RESPONSE TO MIEC'S  
RECOMMENDATION TO MODIFY TARIFF  
SHEET TO REFLECT REFUND ORDERED ON JULY 31, 2013**

COMES NOW the Missouri Industrial Energy Consumers ("MIEC") and for its Reply to Ameren Missouri's Response to MIEC's Recommendation to Modify Tariff Sheet to Reflect Refund Ordered on July 31, 2013, states as follows:

1.     Contrary to Ameren's Response, the Commission's Rule 4 CSR 24-20.090 (15) provides that provisions of the rule may be waived by the Commission for good cause shown after an opportunity for a hearing and the Commission indeed has legal authority to make the refund adjustment requested by MIEC and to hold the hearing requested by MIEC.
2.     Ameren has already booked adjustment against their earnings for the second quarter.
3.     Ameren's July 26<sup>th</sup> FAC tariff Schedule EW-FPA attached to its submission demonstrates that a "Prudence Adjustment Adjustment" could be approved by the Commission.
4.     It is untenable for Ameren to maintain that the refunds can't be included in this accumulation period when its FAC tariff sheets show its expectation that the Commission would include the refund if it had been so ordered.
5.     Pursuant to 4 CSR 240-20.090(4), good cause exists to adjust the FAC tariff to reflect the refund required by the Commission's Order or to hold a hearing regarding the refund. Releasing the FAC imprudence refunds to customers would result in no harm to Ameren - indeed, Ameren's actions in including a line for the refunds in its tariff sheets and booking the refunds against earnings shows it actually anticipated providing them. In contrast, Ameren's customers will

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WHEREFORE, the MIEC respectfully requests that the Commission order Ameren Missouri to adjust its FAC tariff to reflect the refund required by this Commission's Order.

Respectfully submitted,

BRYAN CAVE LLP

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I hereby certify that the foregoing was mailed, electronically, to all counsel of record this 4<sup>th</sup> day of September, 2013.

/s/ Edward F. Downey

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