

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

In the Matter of Union Electric Company)
d/b/a AmerenUE's Tariffs Increasing)
Rates for Electric Service Provided) Case No. ER-2007-0002
to Customers in the Company's)
Missouri Service Area.)

DISSENTING OPINION OF COMMISSIONER CONNIE MURRAY

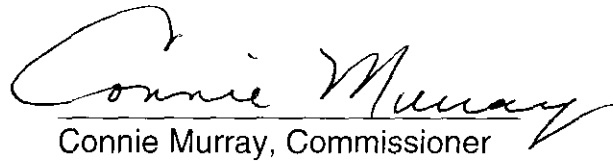
While Public Counsel is not bound by the relevance limitation imposed on other parties, it still must have the authority to obtain the documents that it seeks. Ameren, the parent company, and EEInc. are not subject to the general jurisdiction of the Commission. To get around that limitation, Public Counsel argues for application of the Commission's affiliate transaction rule, 4 CSR 240-20.015. That rule gives the Commission, and by extension the Public Counsel, authority to review, inspect, and audit the records kept by a regulated electric utility or an affiliated entity. However, the authority to inspect the records of an affiliate is expressly limited, and may be exercised "for the sole purpose of ensuring compliance with this rule."¹ In other words, that rule gives the Commission and Public Counsel the authority to investigate the relationship between a regulated company and its affiliates to ensure that the affiliate transaction rule has not been violated. It does not, however, give the Commission or Public Counsel general authority to examine the relationship between two unregulated affiliated companies.

¹ 4 CSR 240-20.015(6)

AmerenUE's objection to Public Counsel's data requests regarding the relationship between EEInc. and Ameren is well founded. Public Counsel's motion to compel responses to those data requests should be denied.

Therefore, I respectfully dissent.

Respectfully submitted,


Connie Murray, Commissioner

Dated at Jefferson City, Missouri
on this 15th day of March 2007.