

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 12th day of
September, 2006.

In the Matter of Union Electric Company d/b/a)	
AmerenUE for Authority to File Tariffs Increasing)	<u>Case No. ER-2007-0002</u>
Rates for Electric Service Provided to Customers)	Tariff No. YE-2007-0007
in the Company's Missouri Service Area.)	

ORDER ADOPTING PROCEDURAL SCHEDULE AND TEST YEAR

Issue Date: September 12, 2006

Effective Date: September 22, 2006

On July 10, 2006, Union Electric Company, d/b/a AmerenUE, submitted to the Missouri Public Service Commission certain proposed tariff sheets to implement a general rate increase for retail electric service to customers in its Missouri service area. In its order suspending AmerenUE's tariff, the Commission ordered the parties to prepare a proposed procedural schedule. The parties filed a Jointly Proposed Procedural Schedule and Request for Other Procedural Items on August 29.

On August 30, 2006, the Commission issued an order requesting the parties to file a pleading on or before September 7, 2006, clarifying whether a test year had been agreed to by the parties and, if so, what was the agreed upon test year. On September 7, the Office of the Public Counsel filed a response indicating that there was no dispute among the parties over test year. The Public Counsel stated that the parties have agreed to use a test year ending June 30, 2006, with a true-up through January 1, 2007. The Commission

finds this test year proposed by the parties to be reasonable and it will be adopted as the test year in this case.

The Commission has reviewed the parties' proposed procedural schedule and finds it to be acceptable, with two modifications. First, the proposed procedural schedule calls for the parties to file "Statements of Position" on March 7, 2007. The Commission finds prehearing briefs to be more helpful in preparing for an evidentiary hearing. Accordingly, the Commission will order the parties to file prehearing briefs instead of filing "Statements of Position." The Commission will require prehearing briefs be filed on or before March 6, 2007, to allow the Commission sufficient time review to them prior to the start of the hearing on March 12. No page limit will be place upon prehearing briefs. Second, there will only be a single round of post-hearing briefs limited to fifty (50) pages.

The proposed procedural schedule contains some unusual features. After January 31, 2007, the parties have agreed to shorten the interval allowed for responding to discovery. The parties have also agreed to serve copies of Data Requests upon all parties. The parties have also made arrangements as to the provision of copies of work papers and of electronic copies of prefiled testimony.

Additionally, the parties also requested, "[a]dministrative consolidation of the electric and gas rate cases . . . where practical." The parties ask the Commission to issue an order allowing discovery in either ER-2007-0002 or GR-2007-0003 (AmerenUE Rate Cases) to be used, subject to applicable evidentiary rules, in either case, and making the requisite modifications to the protective orders issued in each case. The Commission finds this request to be reasonable and it will be granted.

The parties also ask the Commission to allow them to make a single evidentiary record in the AmerenUE Rate Cases regarding issues where the evidentiary record would be the same for both cases, such as pensions. The Commission does not have sufficient information to make a decision as to what, if any, issues might meet that criterion. However, while an issue may be common to both AmerenUE Rate Cases, there are different parties in each case. Thus, the Commission will require pre-filed testimony on any such issues to be filed in each case. Since the hearings will be conducted in tandem, it is reasonable to utilize a single hearing record where practicable to avoid the need for duplicative cross-examination of witnesses. To that end, the Commission will ask the parties to identify such common issues in the Order of Issues to be filed on March 2, 2007. Testimony presented at the evidentiary hearings on any common issue, so identified, can be used in either case.

The proposed procedural schedule calls for local public hearings to be held in January after all parties have filed their direct testimony. Once the Commission finalizes arrangements for the public hearings, it will issue an order providing that information to all parties.

The Commission will apply the following conditions to the procedural schedule:

(A) The Commission will require that testimony be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.

(B) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be

called, and the order of cross-examination for each witness. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(C) Each party shall file a prehearing brief, which shall include a simple and concise statement summarizing its position on each disputed issue.

(D) Post-hearing briefs will be limited to fifty (50) pages.

(E) All pleadings and briefs shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(F) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

IT IS ORDERED THAT:

1. The following procedural schedule is established:

AmerenUE will update its Direct Case, i.e., its forecasted data for April to June 2006, to actual data, including limited Supplemental Direct Testimony*	- September 29, 2006, by 5:00 p.m.
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Direct Testimony – All Parties except AmerenUE, excluding customer class cost of service and rate design	- December 15, 2006 by 5:00 p.m.
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Direct Testimony – All Parties except AmerenUE, customer class cost of service and rate design	- December 29, 2006 by 5:00 p.m.
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* Supplemental Direct Testimony filed on September 29, 2006, is to be concise and strictly limited to quantification of actual data, including testimony and data relating to the impacts of the storms occurring in July 2006 to the extent available. Such testimony shall not introduce a change of methodologies or changes in methodology.

Staff Circulates Preliminary Case Reconciliation to All Parties	-	December 29, 2006
Local Public Hearings**	-	January 2007
Technical/Settlement Conference	-	January 16-19, 2007 (Electric)
	-	January 23-25, 2007 (Gas)
List of Issues Circulated to All Parties	-	January 27, 2007
Rebuttal Testimony - All Parties, except class cost of service and rate design	-	January 31, 2007 by 5:00 p.m.
Beginning of 10 Calendar Day Response Time for Data Requests and 5 Business Days to Object	-	February 1, 2007
Rebuttal Testimony - All Parties, class cost of service and rate design	-	February 5, 2007 by 5:00 p.m.
Settlement Conference, as necessary (room reserved for February 5-6 only)	-	February 5-9, 2007
Surrebuttal Testimony - All Parties on All Issues	-	February 27, 2007 by 5:00 p.m.
Joint Statement of Issues to be Heard, Order of Issues, List of Witnesses, Order of Witnesses, and Order of Witness Cross-Examination	-	March 2, 2007 by 5:00 p.m.
Final Reconciliation Filed	-	March 2, 2007 by 5:00 p.m.
AmerenUE to Provide Data on True-Up Items through January 1, 2007	-	March 2, 2007 by 5:00 p.m.
Prehearing Briefs	-	March 6, 2007 by 5:00 p.m.

** The Commission intends to schedule local public hearings in the following areas in AmerenUE's Missouri service territories: Cape Girardeau, Caruthersville or Hayti, Columbia, the City of St. Louis, Jefferson City, Excelsior Springs, Kirksville, Mexico, Moberly, Rolla, St. Louis County and Wentzville.

Hearing	-	March 12-16, 19-23 and 26-30, 2007 beginning at 8:30 a.m.
True-up Direct – All Parties, if necessary***	-	April 6, 2007 by 5:00 p.m.
True-up Rebuttal- All Parties, if necessary***	-	April 13, 2007 by 5:00 p.m.
Post-hearing Briefs	-	April 18, 2007 by 5:00 p.m.
True-up hearing, if necessary	-	April 19-20, 2007 beginning at 8:30 a.m.
True-up Briefs, All Parties, if necessary	-	April 25, 2007 by 5:00 p.m.

2. The technical and settlement conferences will be held at the Commission's office at the Governor Office Building, Room 305, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this conference, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the conference.

3. The hearing will be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service

*** True-up Direct Testimony filed on April 6, 2007, and True-Up Rebuttal Testimony filed on April 13, 2007, are to be concise and strictly limited to quantification of actual data. Such testimony shall not introduce a change of methodologies or changes in methodology.

Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

4. The test year for purposes of this case shall be the year ending June 30, 2006, with a true-up through January 1, 2007.

5. Discovery obtained in either Union Electric Company d/b/a AmerenUE's pending electric rate case, Case No. ER-2007-0002, or its pending natural gas rate case, GR-2007-0003, can be used in the other case.

6. The term "this proceeding" as used in paragraphs I and U of the Protective Order issued in this case shall refer to both Union Electric Company d/b/a AmerenUE's pending electric and gas rate cases, Case Nos. ER-2007-0002 and GR-2007-0003.

7. The parties shall identify issues that are identical in both Case Nos. ER-2007-0002 and GR-2007-0003 in the Order of Issues to be filed on March 2, 2007. Evidence on these issues admitted into evidence during the evidentiary hearings can be used in either case.

8. Transcripts of the evidentiary hearings will be expedited.

9. This order shall become effective on September 22, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, Gaw, Clayton,
and Appling, CC., concur.

Voss, Regulatory Law Judge