

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 21st day
of November, 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 DENYING MISSOURI INDUSTRIAL ENERGY CONSUMERS'
APPLICATION FOR RECONSIDERATION

Issue Date: November 21, 2006

Effective Date: November 21, 2006

Syllabus: This order denies Missouri Industrial Energy Consumers' (MIEC's) Request that the Commission Reconsider its November 2, 2006 Order Granting Motion for Necessary Waivers, Denying Pending Motions, and Directing Filing.

On July 7, concurrent with its electric rate increase case, Union Electric Company, d/b/a AmerenUE (AmerenUE) filed a motion asking the Commission to issue an order establishing transitional procedures for the handling of AmerenUE's request for a fuel adjustment clause (FAC), citing a proposed rule – 4 CSR 240-20.090(16). On September 29, AmerenUE filed new tariff pages designed to implement an FAC, testimony supporting those tariff pages, and a Motion for any Necessary Leave to File Additional Testimony, for any Necessary Waivers, and to Deny Pending Motions. In that motion, AmerenUE sought three things. First, AmerenUE requested leave to file limited Supplemental Direct Testimony updating its forecasted data for April to June 2006, to actual data. Second, AmerenUE requested leave to file its FAC tariff and supporting

testimony, and to the extent required, requested a waiver of Commission Rules 4 CSR 240-2.056(1), 4 CSR 240-2.130(7)(A), or any other necessary waivers related to that filing. Finally, AmerenUE asked the Commission to deny any and all motions and requests to reject its FAC tariff and strike supporting testimony. Several parties filed responses objecting to AmerenUE's September 29 filings on a variety of grounds.

On November 2, the Commission issued its Order Granting Motion for Necessary Waivers, Denying Pending Motions, and Directing Filing. In that order the Commission considered the arguments presented by all parties both for and against allowing AmerenUE to file its FAC tariff and supporting testimony and determined that under the applicable law AmerenUE's request should be granted. Accordingly, the Commission granted AmerenUE's request.

On November 11, MIEC asked the Commission to reconsider its November 2nd Order. In its application for reconsideration MIEC does not state any new argument in support of its position. MIEC simply disagrees with the Commission's interpretation of portions of Section 386.266 RSMo 2000 and Commission Rules and then restates many of the arguments it raised in its initial objection to AmerenUE's request for leave to file its FAC tariff. The Commission addressed MIEC's arguments in detail in the November 2nd Order and will not revisit them here. The Commission finds its analysis of the applicable Commission rules and statutory law set out in detail in the November 2nd Order to be correct. Accordingly, MIEC's application for reconsideration is denied.

IT IS ORDERED THAT:

1. Missouri Industrial Consumers' Application for Rehearing or Reconsideration of November 2 Order, filed on November 11, 2006, is denied.

2. This order shall become effective on November 21, 2006.

BY THE COMMISSION

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

Colleen M. Dale
Secretary

(S E A L)

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

Voss, Regulatory Law Judge