

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 25th day of
January, 2007.

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

In the Matter of Union Electric Company d/b/a)	
AmerenUE's Tariffs Increasing Rates for)	<u>Case No. GR-2007-0003</u>
Natural Gas Service Provided to Customers)	Tariff No. YG-2007-0008
in the Company's Missouri Service Area)	

ORDER DENYING LEAVE TO WITHDRAW AS ATTORNEY

Issue Date: January 25, 2007

Effective Date: January 25, 2007

On January 22, 2007, Lyell H. Champagne, of The Champagne Law Firm, filed a letter indicating that he is no longer representing MOKAN CCAC in these cases. Mr. Champagne's letter indicates that, thereafter, all correspondence should be forwarded directly to MOKAN. The letter does not indicate whether MOKAN CCAC has obtained alternative legal representation.

MOKAN CCAC applied to intervene in Case No. ER-2007-0002 on July 31, 2006. That application was granted on August 22. Although Mr. Champagne filed his letter in both ER-2007-0002 and GR-2007-0003, MOKAN CCAC has never applied to intervene in GR-2007-0003 and is not a party to that case. MOKAN CCAC's application to intervene indicates that it is a Missouri not-for-profit corporation whose purpose and mission is to enhance contract and business opportunities for all minority contractors. As a corporation,

MOKAN CCAC cannot represent itself before the Commission, rather if it is to appear, it must be represented by an attorney licensed to practice law in Missouri.¹

Commission Rule 4 CSR 240-2.040(6) provides that an attorney who has entered an appearance on behalf of any party may withdraw from that representation only by leave of the Commission. If Mr. Champagne is allowed to withdraw as the attorney for MOKAN CCAC without identifying a successor, that corporation will be unrepresented and will be unable to continue as a party to this case. If that were to be allowed, the Commission would have to deal with an unrepresented party in limbo: unable to proceed, but also unable to request that it be dismissed as a party. Therefore, the Commission will deny leave for Mr. Champagne to withdraw from his representation of MOKAN CCAC until such time as another attorney enters an appearance on behalf of MOKAN CCAC, or MOKAN CCAC is dismissed as a party to the case.

IT IS ORDERED THAT:

1. Lyell H. Champagne and The Champagne Law Firm are denied leave to withdraw as legal counsel for MOKAN CCAC.

¹ See. Commission Rule 4 CSR 240-2.040(5) and Reed v. Labor and Indus. Relations Comm'n, 789 S.W.2d 19 (Mo 1990).

2. This order shall become effective on January 25, 2007.

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, Gaw, Clayton and Appling, CC., concur

Woodruff, Deputy Chief Regulatory Law Judge