


Notice of External Communication

DATE: January 15, 2009

TO: All Parties of Interest
In Case No. **ER-2008-0318**

FROM: Chairman Robert M. Clayton III 

RE: Communications Regarding Dispute Among AmerenUE, the Hannibal Board of Public Works and the Midwest Independent Transmission System Operator

CC: Commissioner Connie Murray
Commissioner Jeff Davis
Commissioner Terry Jarrett
Commissioner Kevin Gunn

On October 11, 2008, I was notified of a dispute regarding a billing issue among the above-referenced parties. The Hannibal Board of Public Works and AmerenUE were the parties of a wholesale bilateral contract for electrical service. The billing dispute involved MISO congestion charges.

The PSC staff performed an analysis of the dispute and their findings have been compiled in the attached letter to the Board in Hannibal. Also attached are the materials used in the analysis. The findings were submitted in person by me yesterday in Hannibal, Missouri, at the Hannibal City Council Chambers.

The issues involved in this dispute are not at issue in the underlying rate case. The Missouri PSC does not regulate municipal utilities such as the Hannibal Board of Public Works nor do we regulate bilateral wholesale contracts entered into by AmerenUE or its affiliates.

However, all of the material and the conclusions stemming there from have been submitted in this case to provide all parties notice of the communications.

Attached are the following documents in electronic format:

- *Hannibal Courier-Post* news articles of October 9, 2008, and December 5, 2008 (Attachments 1 and 2);
- Service Agreement (SA) between AmerenUE and the Hannibal BPW dated January 27, 1998 (Attachment 3);
- Memorandum of Understanding dated March 29, 2006 (MOU) (Attachment 4);
- Letter addressed to Tom Voss, President of AmerenUE and to Graham Edwards, President of MISO, dated October 15, 2008 (Attachments 5 and 6);
- AmerenUE response from Tom Voss dated November 5, 2008 (Attachment 7); and

- MISO responses from Graham Edwards dated October 29, 2008 and November 10, 2008 (Attachment 8 and 9).

Lastly, other Commissioners may have received some communication of the above items and this notice shall serve as their "Notice of External Communication," also.