

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

In the Matter of the Third Prudence Review of)	
Costs Subject to the Commission-Approved Fuel)	Case No. EO-2013-0407
Adjustment Clause of Union Electric Company)	
d/b/a Ameren Missouri.)	

AMEREN MISSOURI’S CONTINGENT REQUEST FOR HEARING

COMES NOW Union Electric Company d/b/a Ameren Missouri (Ameren Missouri), by and through counsel, and hereby submits its Contingent Request for Hearing and, as reasons therefore, states as follows:

1. On August 28, 2013, the Staff of the Commission (the Staff) filed a partial recommendation regarding the fuel adjustment clause (FAC) prudence review at issue in this docket. The Staff’s partial recommendation indicted that it had examined 14 different areas that could impact Ameren Missouri’s net fuel costs and that it had found no indication or evidence of imprudence in any of them.

2. However, the Staff’s recommendation indicated that it was still reviewing information with respect to two of the 14 areas and that it would submit a “supplement” to its recommendation. In response to a Commission *Order Directing Filing*, the Staff indicated that it expected to file its supplement on or before September 30, 2014.

3. The Commission’s FAC rules do not provide for a “partial” prudence report, but rather, state that the report must be filed within 180 days of the commencement of the prudence audit. 4 CSR 240-20.090(7). The 180 days expired on August 28, 2013. The Staff has not requested a waiver of this FAC rule under 4 CSR 240-20.090(15), which under the rule could be issued for good cause shown after hearing. However, the Company is willing to agree to the

Staff's filing of a supplement to its report to address the two issues the Staff identified on or before the date specified by the Staff, September 30, 2013, which should obviate the need for a waiver request by the Staff.

4. In addition to setting the deadline for the filing of the Staff's report, 4 CSR 240-20.090(7) provides that the Commission will issue its order respecting the prudence audit within 210 days of its commencement (here, by September 27, 2013) unless a party has requested a hearing within 190 days of its commencement (by September 7, 2013).

5. Ameren Missouri does not anticipate that the Staff's supplemental recommendation will claim any imprudence on Ameren Missouri's part. However, because of the apparent requirement that a hearing must be requested by September 7, 2013, Ameren Missouri files this contingent request for a hearing for the sole purpose of preserving its right to a hearing if the Staff were to claim any imprudence on Ameren Missouri's part. Ameren Missouri also states that it has no objection to an extension of the 210 day deadline for Commission action beyond September 27, 2013 equal to the number of days beyond August 28, 2013 that the Staff files its supplement.

WHEREFORE, in compliance with 4 CSR 240-20.090(7)(B), Ameren Missouri hereby requests a hearing but contingent on whether the Staff's supplemental recommendation claims imprudence on Ameren Missouri's part, and further requests that if the Staff does not claim imprudence that the Commission make and enter its order closing this prudence review docket no later than the last day of the 210 day deadline, as extended as described above.

Respectfully submitted,

UNION ELECTRIC COMPANY,
d/b/a Ameren Missouri

Thomas M. Byrne, #33340
Director – Asst. General Counsel
1901 Chouteau Avenue,
P.O. Box 66149, MC-1310
St. Louis, MO 63101-6149
(314) 554-2514 (Telephone)
(314) 554-4014 (Facsimile)
AmerenMissouriService@amen.com

Attorneys for Ameren Missouri

SMITH LEWIS, LLP

/s/ James B. Lowery
James B. Lowery, #40503
111 South Ninth Street, Suite 200
P.O. Box 918
Columbia, MO 65205-0918
(573) 443-3141
(573) 442-6686 (Facsimile)
lowery@smithlewis.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on this 6th day of September, 2013, to all parties of record.

/s/ James B. Lowery
James B. Lowery