

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

NOV 15 2001

STAFF OF THE MISSOURI
PUBLIC SERVICE COMMISSION

Complainant,

v.

UNION ELECTRIC COMPANY,
d/b/a AMERENUE

Respondent.

Case No.: EC-2002-1

Missouri Public
Service Commission

**MISSOURI ENERGY GROUP'S RESPONSE TO THE
STAFF'S EXCESS EARNINGS COMPLAINT
AGAINST AMERENUE AND
RESPONSE TO ANSWER OF AMERENUE**

COMES NOW Barnes-Jewish Hospital, Continental Cement Company, DaimlerChrysler, Emerson Electric Company, Lone Star Industries, River Cement Company, SSM Health Care, and St. John's Mercy Healthcare, (herein the "Missouri Energy Group" or "MEG"), and pursuant to the Commission's Order of October 5, 2001 in this case, responds to the Staff Excess Earnings Complaint Against AmerenUE ("Complaint") and also Respond to the Answer of AmerenUE ("Answer").

Because this case is in the early stages of the proceeding, it is impossible at this time to determine with reasonable accuracy the issues that will be developed in the case through discovery, testimony at the hearings and briefing, and therefore it is impossible to admit, deny, agree or disagree with the positions of the Staff and AmerenUE on the various issues which may hereafter arise. Furthermore, the responses of MEG contained herein are not in any way to be construed as limiting its position with respect to any issue which may hereafter arise. Subject to the foregoing, our responses are as follows:

1. The MEG admits the allegations of the Staff set forth in Paragraphs 1 through 19 inclusive of the Complaint. The MEG takes no position regarding the legal conclusions contained in said Paragraphs 1 through 19, except that the MEG admits that AmerenUE's rates and charges are not just and reasonable and are excessive.

2. The MEG admits the allegations contained in Paragraph 20 of the Complaint but notes that the proposed procedural schedule set forth therein is now outdated because of the passage of time and a new procedural schedule was proposed by the Commission Staff in a November 13, 2001 pleading with which the MEG agrees.

3. The MEG reserves the right to take positions on all of the issues presented by the Complaint together with any other issues developed during the proceedings in this matter. The MEG reserves the right to present its positions by argument, cross-examination, pleadings, briefs, testimony and evidence presented in this case.

RESPONSE TO ANSWER OF AMERENUE COMPANY

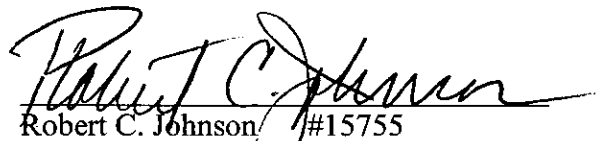
The MEG responds to the Answer filed herein by AmerenUE, as set out below, except the MEG takes no position with respect to conclusions of law contained in the AmerenUE Answer:

1. The MEG denies each allegation contained in AmerenUE's defenses 1 through 27.

2. With respect to the twenty-eight (28th) defense of AmerenUE, to the extent AmerenUE denies allegations contained in the Complaint, the MEG denies the AmerenUE responses thereto.

3. MEG reserves the right to take positions on any issue arising in this case and to assert its positions by way of arguments, cross-examination, pleadings, briefs, testimony and other evidence presented in this matter.

Respectfully submitted,



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CERTIFICATE OF SERVICE

Pursuant to 4CSR 240-2.080 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day caused a copy of the foregoing to be served on all persons on the official service list in Case No.: EC-2002-1.

Dated at St. Louis, Missouri this 14th day of November 2001:

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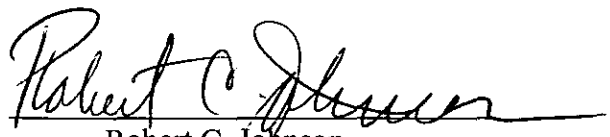
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