

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

Staff of the Missouri Public
Service Commission,

Complainant,

v.

Union Electric Company,
d/b/a AmerenUE,

Respondent.

Case No. EC-2002-1

ORDER GRANTING INTERVENTION

On July 2, 2001, the Staff of the Missouri Public Service Commission filed its Excess Earnings Complaint against Union Electric Company, doing business as AmerenUE, alleging that Union Electric's rates for electric service are not just and reasonable in that it has excess annual revenues between \$213,774,613 and \$250,071,725.

On November 5, 2001, Kansas City Power & Light Company ("KCPL") filed its Application to Intervene. In support of its application, KCPL asserts that its interest is different from the general public in that it is interconnected with AmerenUE's transmission system in Missouri, and may be adversely affected by ratemaking policies established in this proceeding. KCPL also asserts that its participation in this case will aid the Commission in resolving the issues raised in this proceeding and promote the public interest.

45

On November 7, 2001, the State of Missouri, through the Attorney General, filed its Application to Intervene. In support of its application, the Attorney General asserts that its interest is different from the general public in that the State of Missouri is a major customer of AmerenUE, and the procurement of services from AmerenUE for the State is made entirely of public funds, thereby necessitating its intervention. In addition, the State asserts that the Department of Natural Resources, through its Energy Center, has statutory responsibilities to develop policies that are affected by AmerenUE's rates and energy consumption.

The Commission finds the above reasons compelling and no party has objected to these applications. Therefore, the Commission will grant the applications to intervene. The Commission does not ordinarily entertain requests for intervention in complaint cases. However, because of the nature of this case, the Commission will set a deadline for all future applications to intervene.

IT IS THEREFORE ORDERED:

1. That the application to intervene filed on November 5, 2001 by Kansas City Power & Light Company is granted. The Commission's Data Center shall add the company's counsel to the service list in this matter.
2. That the application to intervene filed on November 7, 2001 by the State of Missouri is granted. The Commission's Data Center shall add the Attorney General's counsel to the service list in this matter.
3. That the intervenors shall file a responsive pleading to Staff's Complaint within 30 days of the effective date of this order, admitting or denying each factual assertion or legal conclusion set out therein. In the event that Respondent Union

Electric, doing business as AmerenUE, files a responsive pleading asserting some new matter of fact or law, the intervenors shall within 30 days file a second responsive pleading, admitting or denying each factual assertion or legal conclusion set out in Union Electric's responsive pleading.

4. That all future applications to intervene in this matter shall be filed with the Commission not later than Friday, November 30, 2001.

5. That this order shall become effective on November 19, 2001.

BY THE COMMISSION



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

(S E A L)

Dale Hardy Roberts, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 19th day of November, 2001.

