

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

Staff of the Missouri Public Service Commission, )	
Complainant, )	
V. )	Case No. EC-2002-1
Union Electric Company, D/B/A Ameren UE, )	
Respondent. )	

**MOTION TO FILE REBUTTAL TESTIMONY OUT OF TIME**


Comes now, Intervenor, Missouri Department of Natural Resources, by and through its attorneys of record, and respectfully move this Commission to allow it to file rebuttal testimony of Anita C. Randolph out of time. This Motion is made for the following reasons:

1. Rebuttal testimony by all parties with the exception of the Office of Public Counsel was due to this Commission on Friday, May 17, 2002.
2. Due to other commitments of counsel for the Missouri Department of Natural Resources, the affidavit of Anita C. Randolph was not filed on that date.
3. Because the affidavit of Anita C. Randolph is the same as the previously filed rebuttal testimony of Ms. Randolph, filed December, 2001, with the only difference being the removal of the word "draft" from the front page of the rebuttal testimony, no prejudice or harm will flow to any of the other parties in this matter. All of the other parties have had the testimony of Ms. Randolph to review since December, 2001.

WHEREFORE, the Missouri Department of Natural Resources respectfully requests that this Commission grant its motion to file its rebuttal testimony out of time.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, by United States mail, on this 20<sup>th</sup> day of May, 2002 to:

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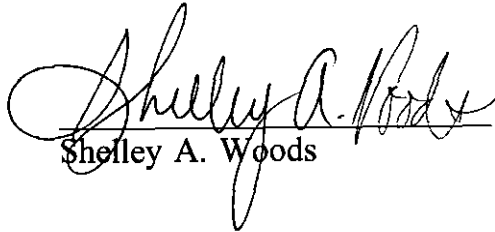
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