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December 18, 2001

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Public Service Commission  
Governor's Office Building  
Madison & E. Capitol  
Jefferson City, MO 65101

FILED<sup>3</sup>

DEC 18 2001

Missouri Public  
Service Commission

RE: Staff of the Public Service Commission v. Union Electric Company, d/b/a  
AmerenUE, Case No. EC-2002-1

Dear Judge Roberts:

Enclosed for filing in the above-referenced case are the original and 8 copies of the *State of Missouri's Suggestions in Opposition of the Staff's Proposed Precedural Schedule Contained in Staff's Motion to Reconsider the Commission's Order Regarding Test Year and Procedural Schedule*. Thank you for your attention to this matter.

Sincerely,

JEREMIAH W. (JAY) NIXON  
Attorney General

Ronald Molteni  
Assistant Attorney General

mlw  
Enclosures  
cc: All Parties on the Service List

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

**FILED<sup>3</sup>**  
DEC 18 2001

Staff of the Missouri Public Service Commission,

Complainant,

v.

Union Electric Company,  
d/b/a AmerenUE,

Respondent.

Missouri Public  
Service Commission

Case No. EC-2002-1

THE STATE OF MISSOURI'S  
SUGGESTIONS IN OPPOSITION OF THE STAFF'S  
PROPOSED PROCEDURAL SCHEDULE CONTAINED  
IN STAFF'S MOTION TO  
RECONSIDER THE COMMISSION'S ORDER  
REGARDING TEST YEAR AND PROCEDURAL SCHEDULE

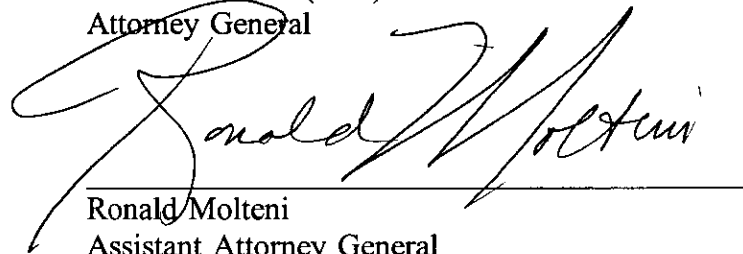
The State of Missouri (the State), through the Attorney General, in compliance with this Commission's directive in its Order issued December 17, 2001, respectfully asserts that it opposes the procedural schedule contained on page 4 of Staff's motion for reconsideration as filed on December 11, 2001. The State is caught between a rock and a hard place. The State understands that Staff and the other parties who have or will file testimony in the case cannot do so on the basis of the original procedural schedule since the Commission rejected Staff's test year in favor of AmerenUE's test year. However, the State, for the sake of consistency has to oppose any procedural schedule that delays the point in time where AmerenUE's ratepayers cease financing AmerenUE's overearnings. As noted in the State's Suggestions in Support of Public Counsel's Motion for Reconsideration of the Commission's Order Regarding Test Year and Procedural Schedule, Public Counsel has estimated the current monthly overearning to be on the order \$20.8 millions dollars, based on an estimated

overearnings figure of \$250 million per year. (See OPC's Request for Order Setting Evidentiary Hearing, served September 27, 2001.) Again, that is an overwhelming burden to place on the backs of AmerenUE's ratepayers.

WHEREFORE, the state of Missouri respectfully asserts its opposition to the Staff's newly proposed procedural schedule and requests that the Commission reconsider its order regarding test year and procedural schedule.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON  
Attorney General

A handwritten signature in black ink, appearing to read "Ronald Molteni", is written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was hand-delivered or mailed, postage prepaid, this 18th day of December, 2001 to:

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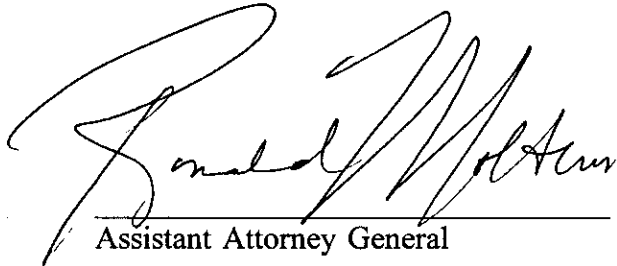
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