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December 11, 2001

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FILED³

DEC 11 2001

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

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

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of the **STAFF MOTION FOR RECONSIDERATION OF COMMISSION'S ORDER ESTABLISHING TEST YEAR AND PROCEDURAL SCHEDULE.**

This filing has been electronically mailed and mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Steven Dottheim
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SD:ccl
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

DEC 11 2001

Missouri Public
Service Commission

Staff of the Missouri Public Service Commission)
)
Complainant,)
)
v.)
)
Union Electric Company, d/b/a AmerenUE,)
)
Respondent.)

Case No. EC-2002-1

**STAFF MOTION FOR RECONSIDERATION OF COMMISSION'S ORDER
ESTABLISHING TEST YEAR AND PROCEDURAL SCHEDULE**

Comes now the Staff of the Missouri Public Service Commission (Staff) and pursuant to 4 CSR 240-2.160 files this Motion For Reconsideration of the Commission's December 6, 2001 Order Establishing Test Year And Procedural Schedule.

This pleading is not designed to ask the Commission to reconsider its test year decision. The Staff accepts the Commission's decision to proceed forward on the basis of the test year proposed by Union Electric Company (UE), d/b/a AmerenUE and that the Commission has rejected the Staff's proposed test year. The purpose of this Motion For Reconsideration is to deal with the procedural schedule that the Commission adopted in its December 6, 2001 Order which is based on the parties using the test year proposed by UE. The Staff herein proposes an alternative procedural schedule because, simply put, the Staff cannot meet the dates of the procedural schedule set by the Commission. The procedural schedule set by the Commission is not one proposed by the Staff, despite the Commission characterizing it as such in the Commission's December 6, 2001 Order.

The Staff understands that the Commission is concerned with promptly processing the Staff's excess earnings/revenues complaint case, as the Staff, the Office of the Public Counsel (Public Counsel or OPC), and the Intervenors are. The Staff believes that UE's commitment in its December 3, 2001 Response, along with a reflection of this commitment in UE's tariff sheets, to reduce rates retroactive to April 1, 2002 as a result of Commission determinations in this proceeding, should provide the Commission with the assurance necessary to alleviate the Commission's concerns about fashioning a proper procedural schedule based upon what the Commission deems to be a proper test year. Thus, with the proper safeguards, the Staff believes that the Commission should not be concerned about scheduling hearings to occur sometime after March 4, 2002, as proposed herein. Nonetheless, the procedural schedule proposed by the Staff is very demanding. In particular, the procedural schedule proposed herein is very demanding on the Staff.

Although the Staff is not seeking that the Commission reverse its decision on test year, the Staff will take this opportunity to address certain matters in the Commission's December 6, 2001 Order respecting which there appears to be some confusion. Ordinarily the Staff would not do this, but the Staff believes that the significance of this case warrants this approach. Also, counsel for the Staff apologizes to the Commission if he is the source of any of confusion which may exist.

In addition to the Staff proposing an alternative procedural schedule that is workable for the Staff, the Staff requests that in order to provide for the prompt processing of the Staff's complaint from this point forward that the Commission issue an Order(s): (1) shortening the response time to this Motion For Reconsideration and any other motions for reconsideration that

may be filed¹ and, at a minimum, moving the December 20, 2001 rebuttal testimony filing date that it has set for Public Counsel and Intervenors to January 4, 2002, the date which the Commission has set for UE to file its rebuttal testimony; (2) adopting the Staff's proposed procedural schedule set out below; (3) directing UE to put in place procedures for the retention of customers' records so that UE can honor its commitment that a reduction in rates resulting from Case No. EC-2002-1 will be made retroactive to April 1, 2002, based on the Staff's procedural schedule proposal of this date, which would not require UE to file before January 25, 2002²; (4) requesting UE to file tariff sheets reflecting its commitment that if the Commission adopts UE's proposed test year and UE is not required to make a filing of rebuttal testimony before January 25, 2002, UE will make a reduction in rates resulting from Case No. EC-2002-1

¹ 4 CSR 240-2.080(16) provides that "[p]arties shall be allowed not more than ten (10) days from the date of filing in which to respond to any pleading unless otherwise ordered by the commission."

² The Commission's December 6, 2001 Order states at pages 3-4, in part, as follows:

Lastly, in order to address Staff's concern that the use of UE's proposed test year might delay the case, UE has affirmed, both on the record at the pre-hearing and in writing, that it would agree that the rates which result from this case shall be retro-active to April 1, 2002. This ensures that if there were any delay necessitated by the choice of this test year, it would not delay the implementation date for new rates.

The Staff does not recall UE offering or affirming at the November 8, 2001 prehearing conference that the rates which result from this case would be retroactive to April 1, 2002. UE stated at page 5 in its December 3, 2001 filing at the Commission that "the Company agrees that the rates resulting from the proceeding may be made retroactive to April 1, 2002, if: (i) the test year is set at the twelve months ending June 30, 2001; and (ii) the filing date for the rebuttal testimony be extended to January 25, 2002." It appears that the closest that UE came to saying what the Commission's December 6, 2001 Order says that UE said is the following exchange between counsel for UE and the Commission's Chief Regulatory Law Judge:

[Mr. Cook]: . . . rates are going to go into effect because of this case in probably May of 2002. . . .

[Judge Roberts]: . . . And so when you say that the rates are going to go into effect in whatever you said, May of 2002, is that an affirmation that the Company is not going to ask for a rehearing or take subsequent action on this case?

[Mr. Cook]: No.

(Transcript pp. 56-57).

retroactive to April 1, 2002; (5) shortening the response time to data requests from 20 days to 10 days (including directing UE to submit to the Staff within 10 days of December 7, 2001 responses to Staff data requests faxed to UE on December 7, 2001 requesting data necessary for the Staff to audit the test year adopted by the Commission); (6) specifying that the parties are to base their cases on the test year of the 12 months ended June 30, 2001 and there is no, and will be no update period; (7) directing UE to file any proposal for alternative regulation in a separate case; (8) directing UE to file its new depreciation study, pursuant to 4 CSR 240-20.030(5), on or before January 31, 1997, as indicated by UE on June 22, 2001 when it filed its Notice Of Intent To File Depreciation Study And Data Base And Property Study Unit Catalog in Case No. EO-2001-706; and (9) correcting "ORDERED: 1" in its December 6, 2001 Order to read "That the test year shall be the period from July 1, 2000, to the period ending upon June 30, 2001," rather than as it presently states "That the test year shall be the period from July 1, 2000, to the period ending upon July 30, 2001." In support of its Motion For Reconsideration, the Staff states as follows:

1. The Staff would propose the following procedural schedule for Case No. EC-2002-1 based upon the Commission having adopted UE's test year:

EVENT	DATE	DAYS BETWEEN SUCCESSIVE EVENTS
Staff files direct testimony	March 1, 2002	
UE and OPC file rebuttal testimony	April 16, 2002	45 days
MIEC, MEG, Doe Run, AG, Retailers & Laclede file rebuttal	April 23, 2002	7 days
Prehearing conference	April 29-May 3, 2002	6 days
		29 days

Staff files surrebuttal testimony & May 28, 2002
UE, OPC, MIEC, MEG, Doe Run, AG,
MoRetailers & Laclede file cross-surrebuttal

2 days

Staff files List of Issues, Order of May 30, 2002
Issues and Order of Cross-Examination

5 days

Parties file Statements of Position June 4, 2002

6 days

Hearings June 10-14, 17-21, 27-28,
July 1-3, 2002

The hearing dates proposed above by the Staff are based on the Staff's review of the Commission's calendar of hearings already set by the Commission. The Staff notes that other than on June 11, 2002, hearings are not presently set for any of these days. A hearing is set for Greeley Gas Company, Case No. GR-2001-394, on June 11, 2002. The dates June 24-26, 2002 are not available because of the MARC (Mid-America Regulatory Commissioners) Conference. (In its November 13, 2001 filing with the Commission, UE suggested that the hearings be scheduled for 16 days: June 19-21, June 24-28, July 1-3, July 8-12, 2002. The Commission's calendar presently shows the MARC Conference on June 24-26 and hearings in Laclede Gas Company Case No. GR-2001-387 on July 8-10, 2002.)

2. On November 8, 2001 at the prehearing conference scheduled by the Commission UE indicated that its proposed test year was the 12 months ended June 30, 2001 and it might seek to update its proposed June 30, 2001 test year through September 30, 2001. In none of its filings with the Commission subsequent to the November 8, 2001 prehearing conference, i.e., not in its November 13 and 26, 2001 and December 3, 2001 filings, has UE proposed an update period. The Commission must lock UE into a test year at this point. The Staff needs to know the full requirements of its new direct case filing in order to efficiently process this case on a going

forward basis. Thus, the Commission in its very next Order must clearly state that there is no update period in this case.

3. At page 4 of the Commission's December 6, 2001 Order, the Commission states, in part, as follows:

. . . Though the Commission has accepted the logic of using the most recent data, as proposed by UE's test year, it does not similarly accept UE's argument that additional time will be needed. **The Commission has accepted UE's proposed test year with the expectation that the evidentiary hearing will be convened as scheduled. Therefore, UE will be held to the schedule proposed by the Commission staff** and supported by the Office of the Public Counsel and the State of Missouri as represented by the Attorney General. . . .

(Emphasis supplied). The Staff wants to be very clear that the Commission in its December 6, 2001 Order has not adopted a procedural schedule proposed by the Staff. For example, the Staff's proposed procedural schedule filed on November 13, 2001 had UE and Public Counsel filing their rebuttal testimony on December 20, 2001 and certain Intervenors filing rebuttal testimony on January 14, 2002.

The Commission in its Order of December 6, 2001 has moved UE's filing date to January 4, 2001, but kept the December 20, 2001 rebuttal filing date for Public Counsel and moved the January 14, 2002 rebuttal filing date for certain Intervenors to December 20, 2001. The Staff would note that the procedural schedule adopted by the Commission provides UE two additional weeks to make its rebuttal filing, moving it to January 4, 2002, but deducts these two weeks from the time that the Staff would have to respond to UE's rebuttal case because the Commission has left the Staff's surrebuttal filing date on February 19, 2002. Also, under the procedural schedule adopted by the Commission on December 6, 2001, the Commission has not provided the Staff a surrebuttal filing to UE's rebuttal filing to the Staff's supplemental direct testimony. The Staff is directed by the Commission to file its supplemental direct testimony on

January 22, 2002. On February 19, 2002, the Staff is directed to file surrebuttal testimony and on that date UE is directed to file "cross-surrebuttal testimony." Thus, there is provision for UE to respond to the Staff's supplemental direct, but there is no provision for the Staff, which has the burden of proof, to reply to UE's response to the Staff's supplemental direct.

4. All of this discussion is actually of little consequence because the Staff cannot meet the procedural schedule set by the Commission, and the Staff notes that it has never indicated that it could meet such a procedural schedule. The Commission in its December 6, 2001 Order has directed the Staff to file on January 22, 2002 supplemental direct testimony based on UE's test year, but both the Staff's and UE's filings in this case indicate the unreasonableness of this date. UE in its November 13, 2001 Motion To Establish A Test Year And Procedural Schedule recognized that the Staff would need time to make such a filing and proposed that the Staff file on March 22, 2002 its supplemental direct testimony based on UE's test year. UE in its latest filing with the Commission on December 3, 2001 told the Commission that it needed until January 25, 2002 to make its rebuttal filing based on its test year, and the Commission has ordered the Staff to make its supplemental direct filing based on UE's test year three days earlier than even the date UE says that it must have in order to make its filing based on its own proposed, and now adopted, test year.

The only procedural schedules that have been proposed by the Staff are procedural schedules based on the Staff's test year and update period. Although the Staff has advised the Commission that the Staff's test year proposal could accommodate hearings starting March 4, 2002, the Staff has never represented to the Commission that it could accommodate a procedural schedule based on hearings starting March 4, 2002, if the Commission adopted UE's

proposed test year. In fact the Staff stated as follows at page 2 in its November 26, 2001 filing regarding the Commission adopting UE's proposed procedural schedule:

It will take time and thus further delays for the Staff and other parties to become knowledgeable regarding the major items that are causing cost shifts in UE's test year. . . . Under UE's proposal, the Commission must either grant additional time for the Staff and other parties to identify the underlying facts respecting UE's cost shift assertions and thereby accept additional delays in the processing of this case, or deny its Staff and other parties the opportunity to determine the bases of the cost shifts included in UE's asserted test year results. . . .

(Emphasis supplied).

5. Now that the Commission has adopted UE's test year, the Staff in essence must file a new case. A filing by UE on January 4, 2002, as the Commission has ordered, or January 25, 2002, as UE proposed in its December 3, 2001 filing with the Commission, based on its test year would assist the Staff in filing an excess earnings/revenues complaint case on UE's test year, but that alone does not warrant the Commission requiring, or the Staff suggesting, that UE make this filing after the Commission has adopted UE's proposed test year. The Staff requests that the Commission reconsider its Order directing UE to file rebuttal testimony on January 4, 2002. UE should be directed by the Commission to still file its new depreciation study with the Commission as required by 4 CSR 240-20.030(5).

6. The procedural schedule directed by the Commission in its December 6, 2001 Order seems to an extent to be based on a sequence of filings proposed by UE in its November 13, 2001 Motion To Establish Test Year And Proposed Procedural Schedule, but in at least one instance the schedule ordered by the Commission adopts a proposal made by UE in its July 10, 2001 Response Of Union Electric Company To Staff's Proposed Procedural Schedule, which UE subsequently abandoned and the Commission apparently on its own has revived. The item abandoned by UE, which the Commission has revived, is the very first filing directed by the

Commission in its December 6, 2001 Order, i.e., the filing of rebuttal testimony by Interveners and Public Counsel on December 20, 2001, prior to even UE filing rebuttal testimony on January 4, 2002. UE proposed in its November 13, 2001 Motion To Establish Test Year And Proposed Procedural Schedule that if the Commission adopted UE's test year, UE would file rebuttal testimony on December 20, 2001 and Public Counsel and Interveners should file rebuttal testimony on January 18, 2002, not on December 20, 2001.

8. The Commission states at page 4 of its December 6, 2001 Order that "the Commission will expect the utmost cooperation of the [sic] UE in exchanging and providing data which will facilitate the use of its proposed test year." In proposing the Staff's filing date for its new direct case as March 1, 2002, the procedural schedule that the Staff proposes herein is quite ambitious. The Commission can assist the Staff in meeting this date by shortening the response time to data requests from 20 days to 10 days. The Commission's rule on a 20 day response time for data requests, 4CSR 240-2.090(2), provides, in part, that "[u]pon agreement by the parties or for good cause shown, the time limits may be modified."

Also, as a result of the Commission's December 6, 2001 Order, the Staff, on December 7 and 10, 2001, sent to UE by facsimile transmission initial Staff data requests requesting data necessary for the Staff to audit the test year adopted by the Commission as the test year in this proceeding. Copies of those data requests are attached to this Staff Motion. Should the Commission issue an Order setting 10 days as the response time to data requests, the Commission should include the data requests which are attached to this Staff Motion in those data requests that are required to be responded to within 10 days, or if 10 days has already run, then these data requests should be required to be responded to within 3 days, if 20 days has not already run.

Although the Staff has sought and reviewed UE data that is subsequent to the Staff's test year³ for purposes of determining the net effect of purported or possible material changes subsequent to the Staff's test year, and whether the net effect of these changes requires that they be reflected in the Staff's case, the Staff has not previously requested the data that is necessary to perform the type of audit required, if the Staff's direct case must be based on UE's test year. (If the Commission had adopted the Staff's test year, the Staff, to an extent, would have relied on UE to submit in its rebuttal testimony details as to why events outside the Staff's test year and update period needed to be reflected, and the Staff would have replied in surrebuttal.).

The Staff has not continuously worked full time or even part time on this case since the filing of the Staff's direct testimony and schedules on July 2, 2000. Other cases filed with this Commission (such as the Laclede Gas Company rate increase case, Case No. GR-2001-629, and the Missouri Public Service/UtiliCorp United, Inc. rate increase case, Case No. ER-

³ The Commission states at page 3 of its December 6, 2001 Order:

... The use of the Staff's proposed test year would result in the Commission establishing rates based upon data which would be nearly three years old at the time the Commission issues its order. ...

The Commission states in its December 6, 2001 Order at page 2:

... Staff's proposal would result in the Commission setting rates for implementation during the spring and summer of 2002 but these rates would be based upon data which reaches back to 1999. During the times of traditional rate of return regulation, at a time when there was little or no competition in the marketplace, this might have been a safe and appropriate test year.

The Staff annualized its case so that the data within the Staff's test year and update period reaches back to 1999 only if it reflects what reasonably can be expected for the prospective period for which rates are being set. Annualization adjustments refer to items/events that have occurred within the test year and the update period and will continue to occur subsequent to the test year and update period. The quantification of the dollars associated with the effect of these items/events on the investment/revenue/expense relationship subsequent to the test year and update period is different than the quantification of the dollars associated with the effect of these items/events on the investment/revenue/expense relationship within the test year and update period. The annualization adjustment reflects the forward-looking dollar impact of recurring test year and update period items/events.

In the case which the Staff filed on July 2, 2002, the Staff considered that there is electric competition at the wholesale level and that there is no electric competition at the retail level in Missouri.

2001-672), cases filed before the Federal Energy Regulatory Commission (FERC) and activity respecting the Midwest Independent System Operator, Inc., the Alliance Regional Transmission Organization and the Southwest Power Pool simply do not permit even a case as significant as this case to completely occupy the time of those members of the Staff assigned to it.

9. So that any proposal from UE regarding Commission adoption of yet another alternative regulation plan for UE will not impair the processing of the Staff's excess earnings/revenues complaint case, the Staff requests that the Commission direct UE to file any alternative regulation proposal in a case other than Case No. EC-2002-1.

The Staff notes that an Electric Roundtable Discussion Group has been scheduled for Monday December 17, 2001 on the topic of Properly Structured Incentive Plans and that the following questions have been posed for an open discussion period:

- Should a docket be opened to address electric utility incentive plans?
- What are the likely objectives/goals of an incentive plan?
- What are the likely internal mechanics of an incentive plan?
- What kind of incentive plans do we see in the electric industry?
- What kind of outcomes should we be wary of?
- What are the next steps toward implementation?

In retrospect, one question glaringly missing from the above list is the question of whether alternative regulation plans are lawful. This question was raised in the context of the Staff's second excess earnings/revenues complaint case against Southwestern Bell Telephone Company (SWBT) and the judicial review of the Commission's decision in that case regarding alternative regulation. *See Staff of the Missouri Public Service Commission v. Southwestern Bell Telephone Co.*, Case Nos. TC-93-224, et al., 2 Mo.P.S.C.3d 479 (1993); *State ex rel. Missouri Cable Television Assoc. v. Public Serv. Comm'n*, 917 S.W.2d 650 (1996). The Staff notes that the two UE alternative regulation plans were experiments. In *State ex rel. Laclede Gas Co. v. Public Serv. Comm'n*, 535 S.W.2d 561, 567 n.1 (Mo.App. 1976), the Western District Court of

Appeals stated that the Missouri Supreme Court has long held that the Commission has the power to grant interim or experimental rates as a matter of necessary implication from practical necessity.

Thus, despite any desire by UE to have an alternative regulation plan adopted by the Commission as part of any determination of the Staff's excess earnings/revenues complaint case, there is no basis for holding Case No. EC-2002-1 captive to such a determination. The Commission among other things may not want to make a determination respecting alternative regulation for UE independent of any determination it makes in general regarding alternative regulation.

10. UE states in bold face type at page 5 in its December 3, 2001 filing that “[t]his offer of retroactive rate treatment is one that cannot be ordered by the Commission nor is the Company obliged to make such an offer . . .” (Emphasis in original). The Staff would not want anyone to misinterpret the following recommendation, but the Commission has adopted UE's proposed test year as the test year for this proceeding and assuming the Commission adopts the Staff's recommendation made herein that UE not be required to make a filing of testimony before January 25, 2002, UE should be requested to file tariff sheets reflecting its commitment that UE's rates collected on and after April 1, 2002 are interim subject to refund based upon the Commission's ratemaking and rate design decisions in this proceeding.

The procedure of a utility filing tariff sheets that indicate its rates are interim subject to refund is the procedure that is followed when the Commission grants interim/emergency rate relief to a public utility. The Staff believes that UE filing tariff sheets that indicate that commencing April 1, 2002 UE's rates are interim subject to refund based on the resolution of proceedings relating to the Staff's excess earnings/revenues complaint case would

best address in the words of UE that "[t]his offer of retroactive rate treatment is one that cannot be ordered by the Commission . . ." Case law states that a tariff that has been approved by the Commission has the same force and effect as a statute directly prescribed by the Missouri Legislature:

. . . the Tariff has the same force and effect as if directly prescribed by the legislature. *Midland Realty v. Kansas City Power & Light*, 300 U.S. 109, 114, 57 S.Ct. 345, 347, 81 L.Ed. 540, 544 (1937), *aff'g*, 338 Mo. 1141, 93 S.W.2d 954 (Mo.App. 1936); *Pennsylvania Railroad Co. v. Chromcraft Corp.*, 424 S.W.2d 104, 105 (Mo.App.1967). . . . As discussed above, once the Public Service Commission approved the Tariff, it became a part of Missouri law. *Warner v. Southwestern Bell Tel.*, 428 S.W.2d 596, 601 (Mo.1968); *Central Controls Co. v. AT&T Inf. Sys.*, 746 S.W.2d 150, 153 (Mo.App.1988).

Carter's Custom Tile & Remodeling, Inc. v. Southwestern Bell Telephone Co., 834 S.W.2d 892, 894 (Mo. App. 1992). *Accord Allstates Transworld Vanlines, Inc. v. Southwestern Bell Telephone Co.*, 937 S.W.2d 314, 317 (Mo.App. 1996).

11. Finally, the Commission should direct UE to file its new depreciation study pursuant to 4 CSR 240-20.030(5) on or before January 31, 2002, as indicated by UE on June 22, 2001, when it filed in Case No. EO-2001-706 its Notice Of Intent To File Depreciation Study And Data Base And Property Study Unit Catalog. On the basis of the schedule directed by the Commission in its December 6, 2001 Order, the Staff is to file its supplemental direct testimony before UE files its new depreciation study and data base and property study unit catalog, unless UE makes this filing also at the time it files its rebuttal testimony on January 4, 2002. The March 1, 2002 filing date proposed herein by the Staff for its direct case based on UE's test year would occur after UE files on or before January 31, 2002 its new depreciation study and data base and property study unit catalog.

Wherefore in order to provide for the prompt processing of the Staff's complaint from this point forward the Staff requests that the Commission issue an Order(s): (1) shortening the

response time to this Motion For Reconsideration and any other motions for reconsideration that may be filed and, at a minimum, moving the December 20, 2001 rebuttal testimony filing date that it has set for Public Counsel and Intervenors to January 4, 2002, the date which the Commission has set for UE to file its rebuttal testimony; (2) adopting the Staff's proposed procedural schedule set out above; (3) directing UE to put in place procedures for the retention of customers' records so that UE can honor its commitment that a reduction in rates resulting from Case No. EC-2002-1 may be made retroactive to April 1, 2002, based on the Staff's procedural schedule proposal of this date, which would not require UE to file before January 25, 2002; (4) requesting UE to file tariff sheets reflecting its commitment that if the Commission adopts UE's proposed test year and UE is not required to make a filing of its testimony before January 25, 2002, UE will make a reduction in rates resulting from Case No. EC-2002-1 retroactive to April 1, 2002; (5) shortening the response time to data requests from 20 days to 10 days (including directing UE to submit to the Staff within 10 days of December 7, 2001 responses to Staff data requests faxed to UE on December 7, 2001 requesting data necessary for the Staff to audit the test year adopted by the Commission); (6) specifying that the parties are to base their cases on the test year of the 12 months ended June 30, 2001 and there is no, and will be no update period; (7) directing UE to file any proposal for alternative regulation in a separate case; (8) directing UE to file its new depreciation study pursuant to 4 CSR 240-20.030(5) on or before January 31, 1997, as indicated by UE on June 22, 2001 when it filed its Notice Of Intent To File Depreciation Study And Data Base And Property Study Unit Catalog in Case No. EO-2001-706; and (9) correcting "ORDERED: 1" in its December 6, 2001 Order to read "That the test year shall be the period from July 1, 2000, to the period ending upon June 30, 2001," rather than as it

Service List for
Case No. EC-2002-1
Verified: December 11, 2001 (rr)

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