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

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In the Matter of the Tariff Filings of Union Electric Company d/b/a Ameren Missouri, to Increase Its Revenues for Retail Electric Service.

Case No. ER-2012-0166

#### **RESPONSE TO THE STAFF'S MOTION TO STRIKE**

COMES NOW Union Electric Company d/b/a Ameren Missouri and Ameren Corporation and hereby file this response to the Staff's Motion to Strike filed this date

1. The only impact of the Commission's September 11, 2012 Order Establishing

*Time to Respond to Motions to Quash* was to: (a) sustain the Company's Motions for Expedited Treatment; and (b) to shorten the 10-day response time that would normally have been afforded the Staff under 4 CSR 240-2.080(13).

2. Under that same Rule, the Company has the right to respond to *any pleading* within 10 days of its filing, unless the Commission orders otherwise.

3. The Commission did not enter any order taking away the Company's right to respond to the Staff's pleading filed earlier today; i.e., it never "ordered otherwise." The Staff's Motion to Strike has no basis whatsoever, and should be denied.

4. For the same reason, the Staff is free to file whatever further pleading it wants to file whenever it wants to file it, whether it is by 8:00 a.m. tomorrow or not.

WHEREFORE, Ameren Missouri and Ameren Corporation pray that the Commission deny Staff's Motion to Strike, and for such other and further relief as is just and proper under the circumstances. Dated: September 11, 2012

Respectfully submitted,

## \_/s/ James B. Lowery\_

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all parties of record via electronic mail (e-mail) on this 11th day of September, 2012.

/s/James B. Lowery James B. Lowery