

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
October 31, 2000

CASE NO: EE-2000-561

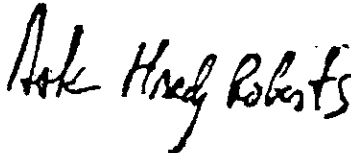
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Michael F. Barnes
Ameren Services Company
1901 Chouteau Avenue
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St. Louis, MO 63166-6149

Enclosed find certified copy of ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Customers enrolled in the program would no longer receive a bill in the mail from AmerenUE, unless the customer so requests.

In addition to its request for variance from the Commission rule, AmerenUE requests that the Commission grant it a variance from its own electric tariff V.I. and gas tariff VIII.E. AmerenUE indicates that these tariffs would limit budget billing to postcard bill customers and it would like to offer budget billing to customers who choose to receive their bills electronically.

On September 21, the Commission issued an order directing the Staff of the Commission (Staff) to file either its recommendation or a status report no later than October 11. On October 11, Staff filed its Recommendation and Memorandum.

Staff recommends that the Commission grant AmerenUE's request for a variance from Commission Rule 4 CSR 240-13.015(1)(R). However, Staff recommends that the Commission's approval of the requested variance be conditioned upon certain conditions that the Staff believes are necessary to ensure that none of AmerenUE's customers are adversely affected. Staff's recommended conditions are as follows:

- 1) AmerenUE shall guarantee that its customers who do not use the Internet billing program will not be adversely affected by the program.
- 2) Neither AmerenUE nor CheckFree shall require a customer to pay any fee for participation in this program.
- 3) A participating customer shall not be required to pay its bill via the Internet using CheckFree's service. All payment options available to those customers not participating in the program will remain available to those who do.
- 4) Participating customers will continue to receive postcard bills, unless the customer makes an affirmative election to no longer

receive paper bills by the U.S. Mail. Any solicitations to customers offering to no longer send paper bills by the U.S. Mail must contain a warning that the due date of the customer's bill is the one printed on the bill, or electronic image of the bill. Failure or delay by CheckFree in sending e-mail notification that a bill is available for viewing, or failure or delay by the customer in reading the e-mail notification does not alter the due date. Customers should be further advised that e-mail notification may not normally arrive as quickly as the postcard bills under some circumstances.

Staff also recommends that AmerenUE clarify its own tariffs to clearly establish the eligibility for its own budget-billing plan. This would eliminate AmerenUE's need for a variance from its own tariffs.

4 CSR 240-2.080(16) provides that parties shall be allowed not more than ten days from the date of filing in which to respond to any pleading unless otherwise ordered by the Commission. More than ten days have passed since Staff's recommendation was filed and no party has filed a response to those recommendations.

After reviewing AmerenUE's application and Staff's Recommendation and Memorandum, the Commission concludes that AmerenUE's application for variance from Commission Rule 4 CSR 240-13.015(1)(R) should be granted, subject to the conditions recommended by Staff. The Commission further concludes that AmerenUE's request for variance from its own electric tariff V.I. and gas tariff VIII.E. should be denied. AmerenUE has failed to indicate any authority by which the Commission could grant a variance from a tariff. Furthermore, the tariffs in question are the tariffs of AmerenUE. If AmerenUE wishes to modify its own tariffs, it may certainly do so through the normal procedures. There is no need for the Commission to grant a variance from those tariffs.

IT IS THEREFORE ORDERED:

1. That the Application for Variance from Commission Rule 4 CSR 240-13.015(1)(R) filed by Union Electric Company d/b/a AmerenUE is granted, subject to the following conditions:

a) AmerenUE shall guarantee that the program will not adversely affect its customers who do not use the Internet billing program.

b) Neither AmerenUE nor CheckFree shall require a customer to pay any fee for participation in this program.

c) A participating customer shall not be required to pay its bill via the Internet using CheckFree's service. All payment options available to those customers not participating in the program will remain available to those who do.


d) Participating customers will continue to receive postcard bills, unless the customer makes an affirmative election to no longer receive paper bills by the U.S. Mail. Any solicitations to customers offering to no longer send paper bills by the U.S. Mail must contain a warning that the due date of the customer's bill is the one printed on the bill, or electronic image of the bill. Failure or delay by CheckFree in sending e-mail notification that a bill is available for viewing, or failure or delay by the customer in reading the e-mail notification does not alter the due date. Customers should be further advised that e-mail notification may not normally arrive as quickly as the postcard bills under some circumstances.

2. That the Application for Variance from Union Electric Company d/b/a AmerenUE electric tariff V.I. and gas tariff VIII.E., filed by Union Electric Company d/b/a AmerenUE, is denied.

3. That the variance granted by this order shall not become effective until Union Electric Company d/b/a AmerenUE has filed, and the Commission has approved, tariff revisions reflecting the granted variance.

4. That this order shall become effective on November 10, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer and Schemenauer, CC., concur
Murray, C., concurs with opinion
Simmons, C., absent

Woodruff, Senior Regulatory Law Judge