

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

In the Matter of the Tariff Filings of Union)
Electric Company, d/b/a Ameren Missouri, to) Case No. ER-2011-0028
Increase Its Revenues for Retail Electric Service.)

**AMEREN MISSOURI’S REPLY TO STAFF’S REPLY TO AMEREN MISSOURI’S
RESPONSE TO STAFF’S MOTION TO STRIKE OR OTHERWISE DISALLOW
PORTIONS OF THE PREPARED REBUTTAL AND SURREBUTTAL TESTIMONIES
OF WILLIAM DAVIS**

COMES NOW, Union Electric Company, d/b/a Ameren Missouri (Ameren Missouri or Company) and for its reply to *Staff’s Reply to Ameren Missouri’s Response to Staff’s Motion to Strike or Otherwise Disallow Portions Of the Prepared Rebuttal and Surrebuttal Testimonies of William Davis*, (Staff Reply) states as follows:

1. On April 21, 2011, the Staff of the Missouri Public Service Commission (Staff) filed the *Staff’s Motion to Strike Or Otherwise Disallow Portions of the Prepared Rebuttal and Surrebuttal Testimonies of William Davis and Motion for Expedited Treatment (Motion to Strike)*.
2. On April 27, 2011, Ameren Missouri filed a response to Staff’s *Motion to Strike*.
3. On May 3, 2011, Staff filed its *Staff Reply* to Ameren Missouri’s response.
4. The flaw in the *Staff Reply* can be summed up as follows. In order for the Commission to decide to strike portions of Mr. Davis’ testimonies, it first must decide whether Ameren Missouri’s billing unit proposal is allowed by Missouri law. The latter issue is squarely before the Commission in this case and it would be premature to strike portions of Mr. Davis’ testimonies on that basis.

5. Ameren Missouri has acknowledged that it offered a different solution in rebuttal to the same problem identified in its direct case and has explained the unique circumstances which justify why the Commission should allow Mr. Davis' testimonies to be introduced into the record. In response, the Staff has filed two pieces of supplemental testimony and the Missouri Industrial Energy Consumers has filed one piece of supplemental testimony. No one has been denied an opportunity to respond or to create a record of their position. There is no due process concern and no one has been unduly prejudiced. There is no need to strike portions of Mr. Davis' testimonies.

6. It is critical that a constructive solution be reached in this rate case. The Company's energy efficiency tariffs expire September 30th of this year. It is not prudent for Ameren Missouri management to continue investing in these programs if it does not know how the initial investment will be treated and how the negative economic impact upon the Company will be addressed. The outcome of this case will directly impact Ameren Missouri's energy efficiency investment decisions in the future.

7. Bringing more energy efficiency into Ameren Missouri's energy mix to slow demand growth in a prudent, cost-effective manner – one that balances energy efficiency with new generation and supply options – will take a concerted effort by all parties in this case. It will require education on the opportunities and identification of disincentives and corresponding solutions – and only Ameren Missouri has presented a workable solution. Most importantly, bringing more energy efficiency may require modification of existing policies by the Commission to provide the funding necessary to deliver these programs. The issues addressed in the case are a call to action for the Commission to bring the parties in this case together to create

a regulatory framework whereby Ameren Missouri can continue to make meaningful commitments to energy efficiency.

Respectfully submitted,

/s/ Wendy K. Tatro

Wendy Tatro, #60261
Associate General Counsel
Thomas M. Byrne, #33340
Managing Associate General Counsel
1901 Chouteau Avenue, MC-1310
P.O. Box 66149, MC-1310
St. Louis, MO 63101-6149
(314) 554-3484 (telephone)
(314) 554-2514 (telephone)
(314) 554-4014 (facsimile)
AmerenMOService@ameren.com

ATTORNEYS FOR
UNION ELECTRIC COMPANY, d/b/a
AMEREN MISSOURI

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing AMEREN MISSOURI'S REPLY TO STAFF'S REPLY TO AMEREN MISSOURI'S RESPONSE TO STAFF'S MOTION TO STRIKE OR OTHERWISE DISALLOW PORTIONS OF THE PREPARED REBUTTAL AND SURREBUTTAL TESTIMONIES OF WILLIAM DAVIS was served on all parties of record via electronic mail (e-mail) on this 4th day of May, 2011.

/s/ Wendy K. Tatro _____
Wendy K. Tatro