

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

In the Matter of the Consideration of Adoption     )  
of the PURPA Section 111(d)(13) Fossil Fuel     )     **Case No. EO-2006-0495**  
Generation Efficiency Standard as Required by     )  
Section 1251 of the Energy Policy Act of 2005     )

**ORDER GRANTING LEAVE FOR ATTORNEY OF RECORD TO**  
**WITHDRAW**

Issue Date: November 16, 2006

Effective Date: November 16, 2006

On June 22, 2006,<sup>1</sup> the Staff of the Missouri Public Service Commission filed a motion requesting that the Commission establish a case, provide notice, set an intervention deadline and schedule an early prehearing conference for the purpose of determining whether to adopt the Fossil Fuel Generation Efficiency Standard established in Section 1251 of the Energy Policy Act of 2005 (“EPAAct”). The Commission granted Staff’s motion on June 23. Union Electric Company d/b/a AmerenUE (“AmerenUE”) filed a timely request to intervene and was granted intervention on August 2.

On November 15, AmerenUE filed a motion requesting that David Kurtz be removed as an attorney of record in this matter and that he be allowed to withdraw. AmerenUE states that reason for its request is that Mr. Kurtz is no longer associated with the firm of Smith Lewis, L.L.P.

Commission Rule 4 CSR 240-2.040(6) allows an attorney to withdraw by leave of the Commission. Because the withdrawal of David Kurtz will not affect AmerenUE’s

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<sup>1</sup> All dates throughout this order shall refer to the year 2006 unless otherwise specified.

representation, the Commission finds AmerenUE's request to be reasonable and shall allow David Kurtz to withdraw. David Kurtz's name shall be removed as an attorney of record in this matter.

**IT IS ORDERED THAT:**

1. David Kurtz shall be allowed to withdraw, and his name shall be removed as an attorney of record in this matter.
2. This order shall become effective on November 16, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Harold Stearley, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 16th day of November, 2006.