

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

Motion to Declassify Surveillance	)	
Monitoring Report of Ameren Missouri	)	
for the Twelve Month Period Ending	)	<u>Case No. EO-2013-0413</u>
December 31, 2012	)	

STAFF’S RESPONSE
TO MOTION TO MAKE CERTAIN DOCUMENTS PUBLIC AND
REQUEST FOR WAIVER

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through counsel, and for its response to the *Motion To Make Certain Documents Public and Request For Waiver* in this case respectfully states:

1. This case was initiated on March 7, 2013, when the Missouri Industrial Energy Consumers, the Office of the Public Counsel, the AARP, and the Consumer Council of Missouri (collectively, “Movants”) filed their *Motion To Make Certain Documents Public, Request For Waiver, and Motion For Expedited Treatment*. The thrust of Movants’ motion is their request that the Commission declassify Ameren Missouri’s most recent Surveillance Monitoring Report for the twelve-month period ending December 31, 2012 (“Report”).

2. The Commission ordered Ameren Missouri and Staff to respond to the motion no later than March 14.¹

3. The Commission has the authority by its rule 4 CSR 240-3.161(16) to grant relief from the requirement that surveillance reports such as the Report be treated as highly confidential when good cause is shown.

¹ On March 13, the Commission granted Ameren Missouri’s motion for extension of time, ordering Staff and Ameren Missouri to respond no later than March 18.

4. On March 11, Ameren Missouri filed its *Notice of Submission of Revised Surveillance Monitoring Report*. According to the *Notice*, the revised report filed in this case is identical to the original highly confidential Report Ameren Missouri filed with the Commission on February 28, 2013, except that the first page of the revised report is a copy of the cover e-mail by which the original report was served that includes Ameren Missouri's explanation of what it calls "unusual factors that affected the reported return on equity."

5. Since Ameren Missouri's revised report includes the entirety of the filing the Movants requested be reclassified from "highly confidential" to "public," plus an additional page, there is no reason for the Commission to grant the relief requested—Ameren Missouri has already effectively given the relief requested.

6. Ameren Missouri has already publicly disclosed the information in the original Report by its revised report; therefore Staff finds the Movants' motion is now moot.

WHEREFORE, Staff submits as its response to the *Motion To Make Certain Documents Public and Request For Waiver* in this case that the motion to make the documents public is now moot.

Respectfully Submitted,

**STAFF OF THE MISSOURI
PUBLIC SERVICE COMMISSION**

/s/ John D. Borgmeyer

John D. Borgmeyer

Legal Counsel

Missouri Bar No. 61992

Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360

Jefferson City, Missouri 65102

Telephone: (573) 751-5472

Fax: (573) 751-9285

Email: john.borgmeyer@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 14th day of March, 2013.

/s/ John D. Borgmeyer