

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 2<sup>nd</sup> day of  
September, 2009.

In the Matter of Union Electric Company, d/b/a	)	<b><u>File No. ER-2010-0036</u></b>
AmerenUE's Tariffs to Increase Its Annual	)	Tariff Nos. YE-2010-0054
Revenues for Electric Service	)	and YE-2010-0055

**ORDER GRANTING THE APPLICATION TO INTERVENE OF  
THE MISSOURI JOINT MUNICIPAL ELECTRIC UTILITY COMMISSION**

Issue Date: September 2, 2009

Effective Date: September 2, 2009

On July 24, 2009, Union Electric Company, d/b/a AmerenUE, filed a tariff designed to increase its annual revenues for electric service. The Commission suspended that tariff and established August 17 as the deadline for interested parties to apply to intervene.

The Missouri Joint Municipal Electric Utility Commission (MJMEUC) applied to intervene on August 17. MJMEUC is a body corporate and politic of the State of Missouri, organized as a joint municipal utility commission pursuant to Missouri statute. It has authority to exercise public powers of a political subdivision for the benefit of the inhabitants of the municipalities jointly contracting to establish the MJMEUC. MJMEUC serves four municipalities that have wholesale power contracts with AmerenUE and fourteen municipalities directly embedded in AmerenUE's transmission system that take transmission service through the Midwest Independent System Operator (MISO).

On August 27, AmerenUE filed a pleading opposing MJMEUC's application to intervene. AmerenUE contends the municipalities represented by MJMEUC are exclusively wholesale customers of AmerenUE. That wholesale relationship, as well as the

municipalities' connections to AmerenUE's transmission system through MISO, is governed by the Federal Energy Regulatory Commission (FERC). For that reason, AmerenUE argues the members of MJMEUC cannot be affected by the decisions made by the Commission in this case. Thus, MJMEUC is not qualified to intervene.

MJMEUC responded to AmerenUE's opposition on September 1. MJMEUC explains that its member cities pay to use a portion of AmerenUE's transmission and distribution network. As a result, they are affected by the reliability of that network. In addition, they claim an interest in ensuring that the cost of new transmission and distribution upgrades is properly charged to retail customers and not to other entities.

Commission rule 4 CSR 240-2.075(4) allows the Commission to grant an application to intervene on a showing that:

- (A) The proposed intervenor has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or
- (B) Granting the proposed intervention would serve the public interest.

The Commission finds that the interest of MJMEUC in this case is different from that of the general public, and may be adversely affected by a final order arising from this case. Furthermore, the Commission finds that allowing MJMEUC to intervene will serve the public interest. Therefore, in accordance with Commission Rule 4 CSR 240-2.075(4), the Commission will grant the application to intervene.

**THE COMMISSION ORDERS THAT:**

1. The Application to Intervene by the Missouri Joint Municipal Electric Utility Commission is granted.

2. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Clayton, Chm., Gunn, and Kenney, CC., concur.  
Davis, C., concurs, with separate concurring  
opinion to follow.  
Jarrett, C., dissents, with separate dissenting  
opinion to follow.

Woodruff, Chief Regulatory Law Judge