

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 22nd day of September, 2009.

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

**ORDER GRANTING THE APPLICATION TO INTERVENE OUT OF TIME
OF THE CITY OF O'FALLON, THE CITY OF UNIVERSITY CITY, THE
CITY OF ROCK HILL, AND THE ST. LOUIS COUNTY MUNICIPAL
LEAGUE**

Issue Date: September 22, 2009

Effective Date: September 22, 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 City of O'Fallon, the City of University City, the City of Rock Hill, and the St. Louis County Municipal League (collectively the municipal group) applied to intervene out of time on September 3. No party has opposed that application.

The municipal group is comprised of municipalities that are large street lighting customers of AmerenUE. They seek to intervene to address the impact of AmerenUE's proposed rate increase on its street lighting customers. The municipal group explains they filed their application to intervene after the established deadline because of the delays occasioned by the meeting times of the City Councils and Boards of Alderman for the intervening municipalities.

Commission Rule 4 CSR 240-2.075(4) provides that the Commission may grant an application to intervene upon a showing that the applicant has an interest in the case that is different from that of the general public and that may be adversely affected by the Commission's final order in the case. In the alternative, the Commission may grant an application to intervene if doing so would serve the public interest. Subsection (5) of that same rule indicates the Commission may grant a late-filed application to intervene upon a showing of good cause.

As street lighting customers, the interests of the municipal group are different from those of the general public, and may be adversely affected by a final order arising from this case. Furthermore, the Commission believes that allowing the municipal group to intervene will serve the public interest in that those municipalities will be able to represent the interests of the street lighting customer class, which otherwise will not be represented. Further, the municipal group has shown good cause for filing their application to intervene approximately two weeks after the filing deadline established by the Commission. 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 Out of Time of the City of O'Fallon, the City of University City, the City of Rock Hill, and the St. Louis County Municipal League is granted.

2. This order shall become effective immediately upon issuance.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

Clayton, Chm., Davis, Jarrett, and
Gunn, CC., concur;
Jarrett, C., dissents with dissenting opinion to follow.

Woodruff, Chief Regulatory Law Judge