

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

In the Matter of Union Electric Company)	
d/b/a Ameren Missouri's Tariffs to)	<u>Case No. ER-2012-0166</u>
Increase Its Annual Revenues for)	
Electric Service.)	

**STAFF'S RESPONSE TO AMEREN MISSOURI'S
MOTION TO STRIKE A PORTION OF STAFF'S REPLY BRIEF**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its response to Ameren Missouri's *Motion to Strike a Portion of Staff's Reply Brief*, states as follows:

1. On November 26, 2012, Ameren Missouri moved to strike a portion of page 34 of Staff's *Reply Brief*, wherein Staff argued that 25% of the cost of Ameren Missouri's coal pile should be excluded from rate base based on the timing of Ameren Missouri's payment for the coal in that portion of the coal pile.

2. Upon reflection, Staff agrees that it was inappropriate to raise this argument for the first time in its *Reply Brief* and therefore withdraws the same.

3. The specific portion of the *Reply Brief* that Staff now withdraws, on page 34 thereof, is as follows:

On that fact, Staff now proposes that rate base be reduced by 25% of the value of the coal pile to reflect that Ameren Missouri has no investment in that coal. The corresponding revenue requirement reduction is about \$5.0 million.¹²⁶ The value of the two adjustments together is \$5.72 million.

WHEREFORE, Staff suggests that Ameren Missouri's *Motion to Strike* is now moot in that it has obtained all of the relief it sought because Staff has withdrawn the offending portion of its *Reply Brief*.

Respectfully submitted,

s/ Kevin A. Thompson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **3rd day of December, 2012**, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson