

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

In the Matter of Union Electric Company d/b/a	)	
AmerenUE for Authority to File Tariffs Increasing	)	<b>Case No. ER-2007-0002</b>
Rates for Electric Service Provided to Customers	)	Tariff No. YE-2007-0007
in the Company's Missouri Service Area.	)	

**PUBLIC COUNSEL'S REPLY TO AMERENUE'S RESPONSE TO PUBLIC  
COUNSEL'S RECOMMENDATIONS FOR NOTICE AND PUBLIC HEARINGS**

COMES NOW The Office of the Public Counsel and for its Reply to AmerenUE's Response to Public Counsel's Recommendations for Notice and Public Hearings states as follows:

1. On August 25, 2006, in response to a Commission order issued July 11, Public Counsel filed its recommendations regarding local public hearings. No party other than the Staff of the Commission and AmerenUE replied to those recommendations. Staff supported them.

2. On August 30, AmerenUE filed its Response to Public Counsel's Recommendations for Notice and Public Hearings. AmerenUE, without actually opposing Public Counsel's recommendations, suggested the Commission "consider whether indeed 12 local public hearings are needed." Public Counsel believes they are; that's why Public Counsel recommended them. Staff believes they are; that's why Staff supported Public Counsel's recommendation. One suspects that AmerenUE believes they are not, but without a more definite statement, it is difficult to tell. Public Counsel requests that the Commission order AmerenUE to clearly state whether it supports or opposes Public Counsel's recommendations regarding dates, times, and locations for local public hearings.

3. In its August 30 Response, AmerenUE suggested that the customer notice be amended to include a statement about AmerenUE's "request to implement a fuel adjustment clause (FAC)." Public Counsel strongly opposes this suggestion. On August 31, Public Counsel filed a motion for a directed verdict with respect to AmerenUE's request for a FAC. Public Counsel is confident that the Commission will recognize that its rules requires parties to present and fully support their case-in-chief in their direct testimony, and will recognize that AmerenUE utterly failed to do so with respect to its request for a FAC. Public Counsel believes that the Commission will grant its motion for a directed verdict, and remove the FAC issue from this case. No other party responded to Public Counsel's proposed customer notice. Accordingly there is no reason to amend that notice.

WHEREFORE Public Counsel respectfully requests that the Commission: 1) order AmerenUE to explicitly state whether it opposes Public Counsel's recommendations for public hearings, and if so, to file its own recommendations; and 2) deny AmerenUE's proposal to amend Public Counsel's recommended public notice.

Respectfully submitted,

OFFICE OF THE Public Counsel

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### CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to all parties this 8<sup>th</sup> day of September 2006.

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By:\_\_\_\_\_