

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

In the Matter of Union Electric Company,)
d/b/a Ameren Missouri's Tariff to Increase Its)
Annual Revenues for Electric Service.)

Case No. ER-2012-0166

NON-UNANIMOUS STIPULATION AND AGREEMENT

COME NOW the Missouri Industrial Energy Consumers, the Missouri Retailers Association, and the Midwest Energy Consumers' Group (collectively, the Signatories) and respectfully state to the Commission that as a result of negotiations they have reached the following non-unanimous stipulation and agreement ("Stipulation") to settle allocation of any revenue increase in the event the Commission finds that Ameren Missouri's rates should be increased.

1. The Signatories agree that the Commission should order the following allocation of any ordered revenue increase among customer classes:

a. The Signatories agree that the allocation of any rate increase for Ameren Missouri that is ordered in this case will be accomplished with a three-step process.

b. Step 1 is to increase the current base rate revenue of the Lighting class by \$1.37 million, and to decrease the current base rate revenue of the LGS/SPS class by \$1.37 million. (Current base rate revenues are set forth in Table 1 on the Appendix to this Stipulation).

c. Step 2 is to determine the amount of revenue increase awarded to Ameren Missouri that is not associated with the energy efficiency ("EE") revenue requirement assigned in Step 3, by subtracting the total amount in Step 3 from

the total rate increase awarded to Ameren Missouri. This amount will be allocated to customer classes as an equal percent of current base rate revenues after making this adjustment in Step 1.

d. Step 3 is to assign directly to applicable customer classes the portion of the revenue increase that is attributable to EE programs. These EE revenue requirements consist of the program costs and Net Shared Benefits relating to the Throughput Disincentives that are associated with programs under the Missouri Energy Efficiency Investment Act ("MEEIA"), and the increase in the revenue requirement associated with the amortization of pre-MEEIA program costs. (The amounts attributable to each class are set forth in Table 2 on the Appendix to this Stipulation.)

2. Unless otherwise explicitly provided herein, none of the Signatories shall be deemed to have approved or acquiesced in any ratemaking or procedural principle, including, without limitation to, any other method of cost determination or cost allocation or revenue-related methodology. Other than as explicitly provided herein, none of the Signatories shall be prejudiced or bound in any manner in this or any other proceeding by the terms of this Stipulation regardless of whether this Stipulation is approved.

3. This Stipulation has resulted from extensive negotiations among the Signatories and the terms hereof are interdependent. If the Commission does not approve this Stipulation unconditionally and without modification, then this Stipulation shall be void and no Signatory shall be bound by any of the agreements or provisions hereof, except as explicitly provided herein.

4. If the Commission does not unconditionally approve this Stipulation without modification, and notwithstanding the provision herein that it shall become void, neither this Stipulation nor any matters associated with its consideration by the Commission shall be considered or argued to be a waiver of the rights that any Party has for a decision in accordance with §536.080 RSMo 2000 or Article V, Section 18 of the Missouri Constitution, and the Signatories shall retain all procedural and due process rights as fully as though this Stipulation had not been presented for approval, and any suggestions, memoranda, testimony, or exhibits that have been offered or received in support of this Stipulation shall become privileged as reflecting the substantive content of settlement discussions and shall be stricken from and not be considered as part of the administrative or evidentiary record before the Commission for any purpose whatsoever.

5. In the event the Commission unconditionally accepts the specific terms of this Stipulation without modification, the Signatories waive the following rights only as to the issues resolved herein: 1) their respective rights to present oral argument and written briefs pursuant to §536.080.1 RSMo 2000; 2) their respective rights to seek rehearing, pursuant to §536.500 RSMo 2000; and 3) their respective rights to judicial review pursuant to §386.510 RSMo 2000. This waiver applies only to a final unappealed Commission order issued in this proceeding unconditionally approving this Stipulation and only to the issues that are resolved hereby. It does not apply to any matters raised in any prior or subsequent Commission proceeding or any matters not explicitly addressed by this Stipulation.

6. Office of the Public Counsel, the Unions, AARP / CCM, Ameren Missouri, Barnes Jewish Hospital, Renew Missouri, NRDC, Sierra Club, and Staff have indicated that, while they will not sign this Stipulation, they will not oppose it.

WHEREFORE, for the foregoing reasons, the Signatories respectfully request that the Commission issue its order approving all of the specific terms and conditions of this Stipulation.

Respectfully submitted,

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**ATTORNEY FOR THE MISSOURI
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed on this 10th day of October 2012 to all parties on the Commission's service list in this case.

/s/ David Woodsmall

AMEREN MISSOURI
Case No. ER-2012-0166
Non-Unanimous Stipulation on Revenue Allocation

TABLE 1			
True-Up Revenue at Present Rates			
(\$000)			
<u>Classes</u>	<u>Revenue</u>	<u>Combined Classes</u>	<u>Revenue</u>
1M Residential	\$1,171,843	RES	\$1,171,843
2M SGS	291,155	SGS	291,155
3M LGS	540,612	LGS/SPS	747,776
4M SPS	207,164		
11M LPS	188,292	LPS	188,292
12M LTS	148,355	LTS	148,355
Lighting	34,843	Lighting/MSD	<u>34,912</u>
MSD	<u>69</u>		
Total	\$2,582,333		\$2,582,333

TABLE 2			
Updated Energy Efficiency Revenue Requirement Increase			
(\$000)			
<u>Rate Class</u>	<u>MEEIA*</u>	<u>Additional Pre-MEEIA</u>	<u>Total EE to Be Assigned</u>
Residential	\$44,330	\$5,129	\$49,459
Small General Service	5,670	543	6,213
Large General Service / Small Primary Service	24,230	2,793	27,023
Large Primary Service	<u>5,320</u>	<u>663</u>	<u>5,983</u>
Total	\$79,550	\$9,128	\$88,678

*Needs to be adjusted for change in Residential and SGS customer charge.