

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

<b>In re: Union Electric Company's</b>	<b>)</b>	
<b>2005 Utility Resource Filing Pursu-</b>	<b>)</b>	<b>Case No. EO-2006-0240</b>
<b>ant to 4 CSR 240 - Chapter 22</b>	<b>)</b>	

**LATE-FILED APPLICATION FOR ORDER ALLOWING INTERVENTION  
OF NORANDA ALUMINUM, INC.**

Comes now NORANDA ALUMINUM, INC. ("Noranda") and pursuant to 4 C.S.R. 240-2.075 applies to intervene herein and become a party in the above matter. In support thereof, Noranda respectfully states:

1. Noranda is a manufacturing corporation duly authorized to transact business in Missouri, operating an aluminum smelter and associated manufacturing and processing facilities at 391 St. Jude Industrial Park, New Madrid, MO 63869.

2. At its New Madrid smelter, Noranda employs roughly 1,100 employees and consumes electricity in the process of producing aluminum base metal and related products in substantial quantities and at an exceptionally high load factor. Noranda maintains a payroll of roughly \$57 million annually and its business activities provide significant and critically important economic support and stability to a 10-county region in Southeast Missouri. In addition to the payroll and electricity purchases, Noranda purchases some \$22 million of a variety of goods and services largely from regional suppliers.

3. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

Stuart W. Conrad, Esq.  
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with a courtesy copy to:

George Swogger  
Manager--Energy Procurement  
Noranda Aluminum, Inc.  
391 St. Jude Industrial Park  
New Madrid, MO 63869

4. Noranda and its employees also pay substantial local and state taxes that support various operations in the region, including schools, local and regional governments, and public safety operations. Noranda utilizes many Missouri suppliers and purchases substantial goods and services from Missouri businesses. With respect to Missouri, Noranda is an export business, shipping large amounts of product out of state and importing into Missouri substantial revenues from out-of-state customers.

5. Since June 1, 2005, Noranda is supplied with electricity at retail by AmerenUE. That supply is pursuant to tariffs and a contract approved by this Commission in Case No. EA-2005-0180. It is believed that Noranda is the largest retail customer on the AmerenUE system in Missouri.

6. Electricity is the largest cost incurred by Noranda to operate its plant. A safe, reliable, cost-based and adequate long term supply of electric power and energy is critical to Noranda's energy-intensive operations, including its ability to continue competitive and cost-effective operation of its plant. The operational characteristics of an aluminum smelting facility require highly reliable supplies of firm electrical power. Continued operations of that smelter demand electricity at cost-based rates that are neither unduly expensive because of excess generating capacity, nor because of an inappropriate mix of generating technologies. Accordingly appropriate planning of those resources is of critical concern to Noranda.

7. Noranda will be directly affected by the outcome of this case. Accordingly, Noranda has a unique, direct and immediate interest in this proceeding that differs from the interest of any other party and from the general public. Therefore, it will aid the Commission and protect the public interest that Noranda be permitted to intervene in this proceeding so as to protect this unique interest.

8. At this time Noranda is unable to state whether it supports the relief sought herein by AmerenUE. Upon review of materials not presently available Noranda will formulate its position.

**SHOWING OF CAUSE FOR LATE-FILED INTERVENTION**

9. Noranda personnel and counsel for Noranda only became aware of AmerenUE's December 5, 2005 filing today, January 6, 2006. Upon identification of the assigned case number and accessing EFIS, counsel noted that the Commission's December 7, 2005 Order Directing Notice, Setting Date for Submission of Intervention Requests, and Scheduling a Prehearing Conference directed that the Commission's data center mail a copy of that order "to each of the parties in AmerenUE's most recent rate case, EC-2002-1." Noranda was not a party to that case. Noranda did not become a customer of AmerenUE until June 1, 2005.

10. Noranda did not receive a copy of AmerenUE's filing from AmerenUE. Neither Noranda counsel nor Noranda personnel received notification of this filing from AmerenUE.

11. Upon becoming aware of the December 5, 2005 filing, Noranda immediately authorized this application. No prejudice will result to any party nor has any delay to the proceeding resulted. Proceeding in Noranda's absence will not serve the public interest and will be detrimental to Noranda's interests.

WHEREFORE, Noranda prays: (a) that Noranda be permitted to intervene herein and be made a party hereto with all rights to have notice of and participate in hearings to present evidence, cross-examine witnesses, file briefs and participate in

argument, should any be had; and (b) for all other needful and proper relief.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



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ATTORNEYS FOR NORANDA ALUMINUM,  
INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by electronic means or by U.S. mail, postage prepaid, addressed to all parties by their attorneys of record as disclosed by the pleadings and orders herein.



Stuart W. Conrad

Dated: January 6, 2006