

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

Application of Union Electric Com- )  
pany for a Certificate of Public )  
Convenience and Necessity authoriz- )  
ing it to construct, install, own, )  
operate, control, manage and main- )  
tain electric plant, as defined in )  
§ 386.020(14), RSMo. to provide )  
electric service in a portion of )  
New Madrid, County, Missouri, as an )  
extension of its existing certifi- )  
cated area )

Case No. EA-2005-0180

**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.  
FINNEGAN, CONRAD & PETERSON, L.C.  
1209 Penntower Office Center  
3100 Broadway  
Kansas City, Missouri 64111  
Voice: (816) 753-1122  
Fax: (816) 756-0373  
E-mail: [stucon@fcplaw.com](mailto:stucon@fcplaw.com)

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. At present Noranda is supplied with electricity that it has purchased on the interstate power market. That

electricity is supplied through the facilities of Associated Electric Cooperative, Inc., that are connected to a distribution system owned and maintained by Noranda and dedicated solely to the supply of Noranda's facilities. This supply arrangement expires May 31, 2005.

6. Electricity is the largest cost incurred by Noranda to operate its plant. A safe, reliable, 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.

7. Noranda requires a proven, long term supplier of electric energy and power that is obligated to provide it safe and adequate service at just and reasonable rates so as to allow Noranda to continue to make long term investments in its plant.

8. Pursuant to Section 91.026 RSMo 2004, Noranda is provided the right to choose the supplier from whom it will obtain electric power and delivery services.

9. To assure these reliable supplies, Noranda has entered into a long term contract with AmerenUE, a regulated supplier. To facilitate performance of this contract, on December 20, 2004, AmerenUE filed an Application with this Commission to expand its certificated service territory to include the area on which Noranda's smelter is located and also to obtain Commis-

sion approval of a tariff under which that service would be provided. That Application was assigned the above case number.

10. Noranda is the customer that is proposed to be provided service should this Application be granted and thus 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.

11. Noranda has been authorized to state to the Commission that this Application for Order Allowing Intervention is supported by AmerenUE. Further, Noranda has been authorized to state to the Commission that this Application is not opposed by the Missouri Office of the Public Counsel.

12. For purposes of 4 CSR 240-2.075(2), Noranda states that it supports the relief sought herein by AmerenUE. In additional support thereof, Noranda is herewith submitting the prepared direct testimony of George Swogger, Noranda's Manager, Energy Procurement, Steve McPheeters, Noranda's Superintendent of Communication, Training-Development and Continuous Improvement.

13. Additionally Noranda is submitting prepared direct testimony from certain public and elected officials that include Mark Baker, Mayor of New Madrid, Missouri and New Madrid County Commissioner elect, Representative Lanie Black, 161st House

District, Missouri General Assembly, Harvey Cooper, Executive Director of Community Sheltered Workshop, Incorporated, David Seamon, Director of Business Development and Training, Department of Economic Development for the State of Missouri, and Representative Terry Swinger, 162nd House District, Missouri General Assembly. These witnesses will address the general public interest that is benefited by the transaction proposed by AmerenUE and will further speak to the unique and important role of the Noranda smelter in the economic and social fabric of Southeast Missouri and Missouri as a whole. Public utilities are uniquely affected with a public interest and the service contemplated by AmerenUE to Noranda is of particularly high public importance as well documented in the testimonies of these important and responsible public officials.

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.

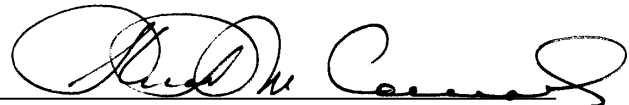


Stuart W. Conrad 23966  
3100 Broadway, Suite 1209  
Kansas City, Missouri 64111  
(816) 753-1122  
Facsimile (816)756-0373  
Internet: stucon@fcplaw.com

ATTORNEYS FOR NORANDA ALUMINUM,  
INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading 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: December 21, 2004