

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

In the Matter of the Application of Union Electric	)	
Company d/b/a Ameren Missouri for Permission and	)	
Approval and a Certificate of Public Convenience and	)	
Necessity Authorizing it to Construct, Install, Own,	)	File No. EA-2012-0281
Operate, Maintain and Otherwise Control and Manage	)	
A Utility Waste Landfill and Related Facilities at its	)	
Labadie Energy Center	)	

**APPLICATION TO INTERVENE**

COME NOW, Labadie Environmental Organization (“LEO”) and Sierra Club, through their attorney, Interdisciplinary Environmental Clinic at Washington University School of Law, and for their Application to Intervene under 4 CSR 240-2.075, respectfully state as follows:

1. LEO is a corporation organized and existing under the non-profit corporation laws of Missouri, in good standing, and qualified to do business in Missouri.
2. Sierra Club is a corporation organized and existing under the non-profit corporation laws of California, in good standing, and qualified to do business in Missouri.
3. In this matter, Ameren has applied for a Certificate of Convenience and Necessity (“CCN”) to construct and operate a utility waste landfill at its Labadie Energy Center for the disposal of coal ash.
4. Members of LEO and the Sierra Club reside in the area immediately adjacent to Ameren’s Labadie Energy Center. Unlike the general rate-paying public, members of LEO and the Sierra Club rely on the groundwater in the area for their drinking water.
5. Leakage from or flooding of Ameren’s proposed landfill could contaminate LEO and the Sierra Club members’ drinking water.
6. Unlike the general rate-paying public, members of LEO and the Sierra Club own homes in the area. The construction and operation of the proposed landfill would likely reduce the property values of their homes.

7. LEO is also a party to pending litigation regarding the decision of the Franklin County Commission to amend the County's zoning regulations to allow Ameren to construct the proposed utility waste landfill. LEO challenged the legality of the County Commission's decision in a petition for writ of certiorari filed with the Franklin County Circuit Court. *State of Missouri ex rel. Ruth Campbell, et al. v. County Commission of Franklin County, et al.*, No. 11AB-CC00286. Ameren intervened to defend the County Commission's zoning amendment decision. Although the Franklin County Circuit Court ruled in favor of the County Commission and Ameren, LEO has appealed that decision to the Missouri Court of Appeals.

8. A final order granting Ameren a CCN to construct and operate a utility waste landfill on the proposed site would adversely affect members of LEO and the Sierra Club because the construction and operation of the proposed landfill threatens to contaminate the groundwater on which they rely for drinking water and to reduce the value of their homes. In addition, granting the proposed intervention would serve the public interest. For these reasons, LEO and the Sierra Club oppose the relief requested by Ameren in its Application.

9. LEO and the Sierra Club are represented in this matter by the Interdisciplinary Environmental Clinic at Washington University School of Law ("IEC"). IEC's street and mailing address is: 1 Brookings Drive, Campus Box 1120, St. Louis, MO 63130. IEC's telephone number is (314) 935-7238. IEC's fax number is (314) 935-5171. IEC's email address is ejhubertz@wulaw.wustl.edu.

Respectfully submitted,

LABADIE ENVIRONMENTAL ORGANIZATION  
SIERRA CLUB

By: /s/ Lauren D. Grady

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February 22, 2013

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was sent via email on February 22, 2013, to all parties of record.

/s/Maxine I. Lipeles