

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. )

COME NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”), the Staff of the Missouri Public Service Commission (“Staff”), the Office of the Public Counsel (“OPC”), Labadie Environmental Organization and Sierra Club (collectively, “Intervenors”) (the foregoing parties, being all of the parties to this docket, are collectively referred to herein as the “Joint Movants”), and hereby move the Commission to reschedule the evidentiary hearings in this case, and to make certain other related changes to the procedural schedule previously agreed upon by the Joint Movants and adopted by the Commission. In support of their Motion, the Joint Movants state as follows:

Deadline to File List of Issues, List of Witnesses, Order of Cross-Examination, and Order of Opening Statements	August 16, 2013
Deadline to File Statements of Position	September 3, 2013
Evidentiary Hearings	Sept. 23-25, 2013
Deadline to File Initial Briefs	October 22, 2013

Deadline to File Reply Briefs

November 12, 2013

2. On August 1, 2013, Ameren Missouri responded to certain exhibits offered at the local public hearing by filing objections and moving to strike them, by moving for leave to prefile additional testimony, and requesting the evidentiary hearing be rescheduled.

3. On August 7, 2013, Intervenors requested until August 19, 2013, to respond to Ameren Missouri's objections, motion to strike and motion to prefile additional testimony. That same date both Staff and Intervenors stated they did not oppose modifying the procedural schedule.

4. Joint Movants have been engaged in discussions respecting possible changes to the above-procedural dates. Among other things, conflicts have arisen with the originally scheduled evidentiary hearing dates because counsel for Ameren Missouri and OPC are now scheduled for oral argument in appeals of the Commission's Report and Order in Ameren Missouri's last electric general rate proceeding before the Missouri Court of Appeals-Western District during a portion of those dates. Ameren Missouri has also indicated in a filing with the Commission that given the expected timing of the Missouri Department of Natural Resource's decision on Ameren Missouri's pending construction permit application regarding the utility waste landfill at issue in this docket, Ameren Missouri is no longer requesting a Commission decision by December 31, 2013, but rather is now requesting a Commission decision by January 31, 2014.

5. In light of these developments, the Joint Movants have agreed on the following suggested changes to the procedural schedule, and hereby request that the Commission modify the schedule accordingly, so that the remainder of the schedule would be as follows:

Deadline to File List of Issues, List of Witnesses,  
Order of Cross-Examination, and Order of

September 30, 2013

Opening Statements

Deadline to File Statements of Position	October 7, 2013
Evidentiary Hearings	October 15 – 17, 2013 <sup>1</sup>
Deadline to File Initial Briefs	November 14, 2013
Deadline to File Reply Briefs	December 10, 2013

Joint Movants also state that early resolution of Ameren Missouri's pending motions would promote efficient processing of this case.

WHEREFORE, Joint Movants hereby pray that the Commission make and enter its order adopting the above-listed changes to the procedural schedule.

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<sup>1</sup> According to the Commission's posted hearing calendar these dates are available for hearing.

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### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served via e-mail to the following on August 13, 2013:

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