

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

In the Matter of the Application of )  
Union Electric Company for Authority )  
To Continue the Transfer of )  
Functional Control of Its Transmission )  
System to the Midwest Independent )  
Transmission System Operator, Inc. )

Case No. EO-2011-0128

**JOINT ISSUES AND WITNESS LIST, ORDER OF OPENING STATEMENTS  
AND ORDER OF CROSS-EXAMINATION**

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”), the Missouri Industrial Energy Consumers (“MIEC”), the Midwest Independent Transmission System Operator, Inc. (“Midwest ISO”), the Southwest Power Pool (“SPP”), the Missouri Joint Municipal Electric Utility Commission (“MJMEUC”), and The Empire District Electric Company (“Empire”) hereby state their Joint List of Issues and Order of Witnesses, Order of Opening Statements and Order of Cross-Examination:

**LIST OF ISSUES**

1. *Is an extension of the term of the Commission’s permission for Ameren Missouri to transfer functional control of Ameren Missouri’s transmission system to the Midwest ISO, on the terms and conditions outlined starting at page 19, line 16 through page 21, line 2 of the Surrebuttal Testimony of Ajay Arora filed in this docket on November 1, 2011, not detrimental to the public interest?*
2. *What constitutes proving “not detrimental to the public interest” in File No. EO-2011-0128?*
  - (a) *What “public” is the appropriate public?*
  - (b) *What “interest” is the appropriate interest?*
  - (c) *How is “not detrimental” measured?*
3. *May the Commission impose the conditions on such a transfer that are reflected at page 7, lines 15 – 22 of the Rebuttal Testimony of James R. Dauphinais (which is also supported by OPC)? If so, should the Commission do so?*
4. *May the Commission impose the conditions on such a transfer that are reflected at page 17, lines 1 – 3 of the Rebuttal Testimony of Ryan Kind? If so, should the Commission do so?*

5. *Can the Commission condition Ameren Missouri's participation in MISO on the application of the existing terms and conditions applied to Ameren Missouri transmission assets (e.g., Section 5.3 of the Service Agreement and paragraphs (b) through (h) of the Ameren Missouri Verified Application in File No. EO-2011-0128) to any affiliate to which Ameren Missouri seeks to transfer transmission assets? If so, should the Commission do so as recommended at page 22, lines 3-27 of the Rebuttal Testimony of Adam C. McKinnie?*
6. *Is an affiliate of Ameren Missouri required to obtain a certificate of convenience and necessity (CCN) (as described in RSMo 393.170 and 393.190.1) from the Commission before constructing, owning, and operating certain transmission facilities in the state of Missouri as is the opinion of the Staff Counsel's Office as noted at page 21, lines 3-6 of the Rebuttal Testimony of Adam C. McKinnie? Can the Commission condition the granting of such a CCN on the application of the existing terms and conditions that are applied to Ameren Missouri transmission assets (e.g., Section 5.3 of the Service Agreement and paragraphs (b) through (h) of the Ameren Missouri Verified Application in File No. EO-2011-0128)? If so, should the Commission do so, as recommended at page 22, lines 3-8 of the Rebuttal Testimony of Adam C. McKinnie?*
7. *If the Commission agrees that such extension of the term for Ameren Missouri to transfer functional control of Ameren Missouri's transmission system to the Midwest ISO should be granted on the terms outlined at page 19, line 19 to page 21, line 2 of Ajay Arora's surrebuttal testimony, should the conditions as proposed by Marlin Vrbas in his testimony, pp. 13-16, be required of Ameren Missouri before any continued transfer of authority is granted? What continuing opportunities and mechanisms for re-examining Ameren Missouri's participation in MISO, if any, should be granted to the parties in this case?*

### **ORDER OF WITNESSES**

Ajay K. Arora (Ameren Missouri)  
Jaime Haro (Ameren Missouri)  
Maureen A. Borkowski (Ameren Missouri)<sup>1</sup>  
Adam McKinnie (Staff)  
Steve Rackers (Staff)  
Ryan Kind (OPC)  
Marlin J. Vrbas (MJMEUC)<sup>2</sup>  
James F. Wilson (MJMEUC)<sup>3</sup>  
James R. Dauphinais (MIEC)  
Bary K. Warren (Empire)  
Lanny Nickell (Empire)<sup>4</sup>  
Richard Doying (Midwest ISO)

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<sup>1</sup> Ms. Borkowski is out-of-state on November 21, 2011, and will have to take the witness stand on November 22, 2011.

<sup>2</sup> Mr. Vrbas will be available to appear on November 22, 2011.

<sup>3</sup> Mr. Wilson will be available to appear on November 22, 2011.

<sup>4</sup> Mr. Nickell will be available to appear on November 22, 2011.

**ORDER OF OPENING STATEMENTS**

Ameren Missouri  
 Staff  
 OPC  
 MIEC  
 MJMEUC  
 Empire  
 SPP  
 Midwest ISO

**ORDER OF CROSS EXAMINATION**  
**(Least Adverse to Most Adverse)**

<b><u>Ameren Missouri's Witnesses</u></b>	<b><u>Staff's Witnesses</u></b>	<b><u>OPC's Witnesses</u></b>	<b><u>MIEC's Witnesses</u></b>	<b><u>MJMEUC's Witnesses</u></b>	<b><u>Empire's Witnesses</u></b>	<b><u>Midwest ISO's Witnesses</u></b>
Midwest ISO	OPC	MIEC	OPC	OPC	SPP	Ameren Missouri
SPP	MIEC	Staff	Staff	Staff	MJMEUC	MJMEUC
Empire	MJMEUC	MJMEUC	MJMEUC	MIEC	MIEC	MIEC
MJMEUC	SPP	SPP	SPP	SPP	OPC	Staff
MIEC	Empire	Empire	Empire	Empire	Staff	OPC
Staff	Midwest ISO	Midwest ISO	Midwest ISO	Midwest ISO	Ameren Missouri	Empire
OPC	Ameren Missouri	Ameren Missouri	Ameren Missouri	Ameren Missouri	Midwest ISO	SPP

Dated: November 14, 2011.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via e-mail on counsel for the parties of record to this case, on this 14th day of November, 2011.

/s/James B. Lowery

James B. Lowery