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 the Issuance)	
Of an Accounting Authority Order Relating to its)	File No. EU-2012-0027
Electrical Operations.)	

MIEC STATEMENT OF POSITIONS

COMES NOW Missouri Industrial Energy Consumers, Inc. ("MIEC"), and files this Statement of Positions:

Issue 1: Do the amounts at issue in this case constitute "fixed costs" or "lost revenues / profits"?

The amounts at issue in this case constitute lost revenues/profits.

Issue 2: Should the Commission issue an Accounting Authority Order ("AAO") authorizing Ameren Missouri to defer and record to the Uniform System of Accounts, account 182.3, Other Regulatory Assets, the "fixed costs" / "lost revenues / profits" which Ameren Missouri was unable to recover from Noranda due to the effects of the January 2009 ice storm?

No. The Commission should not issue an AAO for the recovery of lost revenue/profits.

Issue 3: Should Ameren Missouri be permitted to amortize these "fixed costs" / "lost revenues or profits" over a reasonable period commencing with the effective date of the rates approved in Ameren Missouri's pending rate case (Case No. ER-2012-0166) or over a period commencing close in time to the January 2009 ice storm?

If the Commission were to grant deferral of these lost revenues/profits, the amortization period should commence close in time to the January 2009 ice storm.

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Issue 4: What is the correct quantification of the "fixed costs" / "lost revenues / profits" which Ameren Missouri was unable to recover from Noranda due to the effects on Noranda's load of the January 2009 ice storm?

MIEC takes no position on this issue.

Issue 5: Would the recovery through a Commission Order in a subsequent rate case of any amounts deferred pursuant to the AAO proposed by Ameren Missouri in this proceeding constitute unlawful retroactive ratemaking?

Yes. Recovery through a Commission Order of any amounts deferred pursuant to Ameren's AAO request would constitute retroactive ratemaking.

Respectfully Submitted,

Bryan Cave, LLP

/s/ Brent Roam

Brent E. Roam, Mo. Bar #60666 Diana M. Vuylsteke, Mo. Bar #42419 211 N. Broadway, Suite 3600 St. Louis MO 63102 Phone (314) 259-2572 Facsimile (314) 552-8572 brent.roam@bryancave.com dmvuylsteke@bryancave.com

Counsel for MIEC

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CERTIFICATE OF SERVICE

	I hereby	certify	that a	true a	nd o	correct	copy	of the	above	and	foregoing	document	was
served	via e-mai	l on all	counse	el of re	core	d this 20	0th da	y of A	pril, 20	12.			

/s/ Brent Roam

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