

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

In the Matter of the Tariff Filings of Union)
Electric Company, d/b/a Ameren Missouri, to) Case No. ER-2014-0258
Increase Its Revenues for Retail Electric Service.)

AMENDED NOTICE OF DISMISSAL OF APPEAL

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”), the Missouri Energy Development Association (“MEDA”) and United for Missouri, Inc. (“UFM”), and hereby give notice that they have dismissed their appeals of the Commission’s *Report and Order* in this case. The now-dismissed appeals arose from the Commission’s decision to create the Industrial Aluminum Smelter (“IAS”) rate class and thereby give that class a rate having no relationship to the cost to serve that class, and having no basis in any difference in the character of the service Ameren Missouri provides to that class as opposed to service provided to any other class. A copy of the dismissal filed in the Missouri Court of Appeals – Western District, is attached to this Notice.

Although the appeals have been dismissed, please take note that Ameren Missouri, MEDA, and UFM continue to believe, as reflected in their briefs filed in the Court of Appeals, that the decisions reflected in the *Report and Order* regarding the IAS class are unlawful and unreasonable, and that any similar order in a future case would for the same reasons also be unlawful and unreasonable. However, given the circumstances of the only customer in the IAS class, and the likely impracticality of obtaining effective relief because of that customer’s bankruptcy filing and overall financial condition, Ameren Missouri, MEDA, and UFM determined it appropriate to dismiss the appeals.

Respectfully submitted:

/s/ James B. Lowery

James B. Lowery, Mo. Bar #40503
SMITH LEWIS, LLP
P.O. Box 918
Columbia, MO 65205-0918
(T) 573-443-3141
(F) 573-442-6686
lowery@smithlewis.com

Wendy K. Tatro, Bar #60261

Associate General Counsel
Union Electric Company
d/b/a Ameren Missouri
P.O. Box 66149 (MC 1310)
1901 Chouteau Avenue
St. Louis, MO 63166-6149
(T) 314-554-3484
(F) 314-554-4014
AmerenMOService@ameren.com

**Attorneys for Union Electric Company
d/b/a Ameren Missouri**

/s/ Paul A. Boudreau

Paul A. Boudreau, #33155
BRYDON, SWEARENGEN &
ENGLAND, P.C.
312 E. Capital Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
Telephone: (573) 635-7166
Facsimile: (573) 635-0427
paulb@brydonlaw.com

**ATTORNEY FOR MISSOURI
ENERGY DEVELOPMENT
ASSOCIATION**

/s/ David C. Linton

David C. Linton, #32198
314 Romaine Spring View
Fenton, MO 63026
Telephone: 314-341-5769
jdlington@reagan.com

**ATTORNEY FOR UNITED FOR
MISSOURI, INC.**

Dated: February 10, 2016

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all parties of record via electronic mail (e-mail) on this 10th day of February, 2016.

/s/James B. Lowery

James B. Lowery

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

**IN THE MATTER OF THE
TARIFF FILINGS OF UNION ELECTRIC
COMPANY D/B/A AMEREN MISSOURI,
TO INCREASE ITS REVENUES FOR
RETAIL ELECTRIC SERVICE,**

Appellant.

v.

**PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI,
Respondent.**

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) **Case No. WD78688**
) **(consolidated with WD78715 &**
) **WD78756)**
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**UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI,
MISSOURI ENERGY DEVELOPMENT ASSOCIATION AND UNITED FOR
MISSOURI, INC'S DISMISSAL OF APPEALS PURSUANT TO RULE 84.09**

COME NOW Appellants Union Electric Company d/b/a Ameren Missouri (“Ameren”), the Missouri Energy Development Association (“MEDA”) and United for Missouri, Inc. (“UFM”) and, pursuant to Mo. R. Civ. P. 84.09, hereby dismisses each of their respective appeals of the Missouri Public Service Commission’s April 29, 2015 Report and Order in Commission Case No. ER-2014-0258. In this regard, Ameren Missouri, MEDA and UFM state as follows:

1. Ameren Missouri perfected its appeal by Notice of Appeal filed with the Commission on June 2, 2015.
2. MEDA perfected its appeal by Notice of Appeal filed with the Commission on June 10, 2015.

3. UFM perfected its appeal by Notice of Appeal filed with the Commission on June 26, 2015.

4. Appellants' appeals were docketed by this Court, and consolidated under Case No. WD78688 by orders of this Court dated June 16, 2015 and July 2, 2016.

5. Under Mo. R. Civ. P. 84.09, an appellant may dismiss its appeal at any time prior to submission of the cause in the appellate court.

6. The cause has not been submitted to the Court.

THEREFORE, Ameren Missouri, MEDA and UFM each hereby dismiss their respective appeals.

SMITH LEWIS, LLP

By: /s/ James B. Lowery
James B. Lowery, #40503
Bethany R. Findley, #62887
Suite 200, City Centre Building
111 South Ninth Street
P.O. Box 918
Columbia, MO 65205-0918
Phone (573) 443-3141
Facsimile (573) 442-6686
lowery@smithlewis.com
findley@smithlewis.com

**ATTORNEYS FOR UNION
ELECTRIC COMPANY d/b/a
AMEREN MISSOURI**

UNION ELECTRIC COMPANY
d/b/a Ameren Missouri
Wendy K. Tatro, # 60261
Director - Assistant General Counsel
1901 Chouteau Avenue, MC-1310
P.O. Box 66149
St. Louis, Missouri 63101-6149
(314) 554-3484 (Telephone)
(314) 554-4014 (Facsimile)
wtatro@ameren.com

/s/ Paul A. Boudreau

Paul A. Boudreau, #33155
BRYDON, SWEARENGEN &
ENGLAND, P.C.
312 E. Capital Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
Telephone: (573) 635-7166
Facsimile: (573) 635-0427
paulb@brydonlaw.com

**ATTORNEY FOR MISSOURI
ENERGY DEVELOPMENT
ASSOCIATION**

/s/ David C. Linton

David C. Linton, #32198
314 Romaine Spring View
Fenton, MO 63026
Telephone: 314-341-5769
jdlinton@reagan.com

**ATTORNEY FOR UNITED FOR
MISSOURI, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of February, 2016, I electronically filed the foregoing with the Clerk of the Court using the Missouri Court's E-filing system which sent notification of such filing to the following:

Missouri Public Service Commission
Shelley E. Brueggemann
Kevin Thompson
Jennifer Leigh Heintz
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102-0360

Sierra Club
Henry B. Robertson
Great Rivers Environmental Law Center
705 Olive Street, Suite 614
St. Louis, MO 63101

Missouri Office of Public Counsel
Dustin J. Allison
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102-2230

MDNR
Sarah Mangelsdorf
One South Memorial Dr.,
12th Floor
St. Louis, MO 63012

Jennifer S. Frazier
Assistant Attorney General
P.O. Box 899
Jefferson City, MO 65102

Missouri Department of Economic
Development –
Division of Energy
Ollie Green
P.O. Box 1157
Jefferson City, MO 65102

City of O'Fallon & City of Ballwin
Leland B. Curtis
Curtis, Heinz, Garrett & O'Keefe, P.C.
130 S. Bemiston, Suite 200
St. Louis, MO 63105

MIEC
Diana M. Vuylsteke
Bryan Cave, LLP
211 N. Broadway, Suite 3600
St. Louis, MO 63102

IBEW Local 1439
Sherrie A. Hall
HAMMOND AND SHINNERS, P.C.
7730 Carondelet Avenue, Suite 200
St. Louis, MO 63105

MECG
David Woodsmall
Woodsmall Law Office
428 E. Capitol, Ste 300
Jefferson City, MO 65101

Missouri Retailers Association
Marc H. Ellinger
Blitz, Bardgett & Deutsch, L.C.
308 East High Street, Suite 301
Jefferson City, MO 65101

Consumers Council of Missouri
John B. Coffman
John B. Coffman, LLC
871 Tuxedo Blvd.
St. Louis, MO 63119-2044

Noranda Aluminum, Inc.
Diana Marie Vuylsteke
211 N. Broadway, Ste 3600
St. Louis, MO 63102

Wal-Mart Stores East, L.P. and Sam's East,
Inc.
Marcos A. Barbosa
Baker Sterchi Cowden & Rice, LLC
2400 Pershing Road, Suite 500
Kansas City, MO 64108

/s/ James B. Lowery
James B. Lowery