

**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 Authority to Sell and	)	Case No. EO-2012-0146
Repurchase Coal and Lease Property.	)	

**REPLY TO PUBLIC COUNSEL’S RESPONSE TO ORDER DIRECTING FILING**

**COMES NOW** Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”),  
and states as follows:

1. On December 5, 2011 the Office of the Public Counsel filed *Public Counsel’s Response to Order Directing Filing*. In that pleading, Public Counsel noted that Ameren Missouri’s pleading also filed on December 5, 2011 stated that Ameren Missouri:

agrees to accept as a condition of the Commission’s authority granted herein that it will not sell, transfer or encumber any tax credits it may receive as a result of exercising the option.

Public Counsel stated that if Ameren Missouri confirms that the phrase “sell, transfer or encumber” as used in that pleading encompasses the term “assignment” in the Option Agreement for Purchase of Membership Interest, which was attached as Schedule RKN-4 HC to the Direct Testimony of Robert Neff (“Option Agreement”), then Public Counsel would recommend approving the application filed in this proceeding, subject to the conditions set forth in the Staff Recommendation and the additional conditions set forth in Ameren Missouri’s December 5, 2011 pleading.

2. Ameren Missouri hereby confirms that the phrase “sell, transfer or encumber” in its December 5, 2011 pleading, as referenced above, encompasses the term “assignment” as used in the Option Agreement.

WHEREFORE, Ameren Missouri respectfully requests that the Commission approve the application it filed in this proceeding, subject to the conditions proposed by the Staff and the additional conditions set forth herein, by no later than December 20, 2011.

Respectfully submitted,

*/s/ Thomas M. Byrne*

---

**Thomas M. Byrne** MBN#33340  
Managing Associate General Counsel  
Ameren Services Company  
1901 Chouteau Ave., MC1310  
P.O. Box 66149  
St. Louis, MO 63166-6149  
Telephone: (314) 554-2514  
Facsimile: (314) 554-4014  
E-Mail: [AmerenMOService@ameren.com](mailto:AmerenMOService@ameren.com)

**James B. Lowery** MBN#40503  
Smith Lewis, LLP  
111 S. Ninth Street, Ste. 200  
P.O. Box 918  
Columbia, MO 65205  
Telephone: (573) 443-3141  
Fax: (573) 442-6686  
Email: [lowery@smithlewis.com](mailto:lowery@smithlewis.com)

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

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing pleading was served on the following parties via electronic mail (e-mail) on this 6th day of December, 2011.

**Missouri Public Service  
Commission**

Office General Counsel  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
GenCounsel@psc.mo.gov

**Missouri Public Service  
Commission**

Nathan Williams  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
Nathan.Williams@psc.mo.gov

**Office of the Public Counsel**

Lewis Mills  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opcservice@ded.mo.gov

**KCP&L Greater Missouri  
Operations Company**

Roger W Steiner  
1200 Main Street, 16th Floor  
P.O. Box 418679  
Kansas City, MO 64105-9679  
roger.steiner@kcpl.com

**Missouri Industrial Energy  
Consumers**

Diana M Vuylsteke  
211 N. Broadway, Suite 3600  
St. Louis, MO 63102  
dmvuylsteke@bryancave.com

**Barnes-Jewish Hospital**

Lisa C Langeneckert  
600 Washington Avenue, 15th Floor  
St. Louis, MO 63101-1313  
llangeneckert@sandberghoenix.com

**Kansas City Power & Light  
Company**

James M Fischer  
101 Madison Street, Suite 400  
Jefferson City, MO 65101  
jfisherpc@aol.com

**Kansas City Power & Light  
Company**

Roger W Steiner  
1200 Main Street, 16th Floor  
P.O. Box 418679  
Kansas City, MO 64105-9679  
roger.steiner@kcpl.com

**KCP&L Greater Missouri  
Operations Company**

James M Fischer  
101 Madison Street, Suite 400  
Jefferson City, MO 65101  
jfisherpc@aol.com

/s/ Thomas M. Byrne

Thomas M. Byrne