

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

In re: Union Electric Company's)	
2005 Utility Resource Filing pursuant to)	
4 CSR 240 – Chapter 22)	Case No. EO-2006-0240
)	

**RESPONSE OF UNION ELECTRIC COMPANY D/B/A AMERENUE
TO MOTION TO CONTINUE MEETINGS FILED BY THE
ENVIRONMENTAL GROUP INTERVENORS¹**

COMES NOW Union Electric Company d/b/a AmerenUE (the “Company” or “AmerenUE”), and, in accordance with the Commission’s January 17, 2006 Order Establishing Time in Which to Respond to Motion to Continue Meetings, files its response to the “Motion to Continue Meetings” filed by the Environmental Group Intervenors. In this regard, AmerenUE states as follows.

1. The four meetings mentioned in the Environmental Group Intervenors’ Motion to Continue were scheduled because of joint discussions occurring immediately after the Prehearing Conference held in this case on January 3, 2006. The Environmental Group Intervenors’ counsel participated in those discussions and raised no objection about these meetings or the schedule for these meetings. The Environmental Group Intervenors’ assertion that “Ameren has scheduled” the meetings suggests, incorrectly, that AmerenUE acted unilaterally in scheduling these

¹ Sierra Club, Missouri Coalition for the Environment, Mid-Missouri Peaceworks, and ACORN.

meetings and fails to reflect the fact that other parties desired that these meetings take place and agreed upon the schedule.²

2. The meetings are designed to facilitate answers to the parties' questions about the IRP filing in an effort to reduce the need for the use of formal discovery. There is no requirement for the Company to hold these meetings at all, but the Company was and remains willing to do so for the mutual benefit of all of the parties to this case. It is believed that the meetings will promote the ability of the parties to file the reports required by 4 CSR 240-22.080 (5) and (6), which requires the Staff to file a report with the Commission specifying any deficiencies Staff believes exists in the Company's filing (and affords other parties the opportunity to do the same). These meetings were scheduled for that purpose and that purpose alone, and were never intended to provide a forum for the general public to weigh in on the details of whether or not the Company's more than 3,000 page IRP filing contains any deficiencies with respect to compliance with each and every intricate detail of the Commission's 17-page IRP rule.³

3. AmerenUE, in its Response to the Motion to Compel filed on January 10, made clear that an in-house representative from any party to this case (the Environmental Group Intervenor included) need only sign the Commission's Non-Disclosure Agreement to have

² The Company is aware that Public Counsel has stated that it is not opposed to a continuation of the meetings. Staff has also advised the Company that Staff does not intend to attend the meeting scheduled for tomorrow, January 20, but for reasons that are *unrelated* to the Environmental Group Intervenor's Motion to Continue. Given Staff's primary role in reviewing the IRP filing under the Commission's rules, if Staff does not intend to attend the January 20 meeting there is little to be gained by having it. Consequently, the Company has cancelled the meeting scheduled for January 20.

³ In any event, the public is represented at these meetings given that the Public Counsel, who represents their interests, participated in the first meeting and to the Company's knowledge intends to participate in remaining meetings. Moreover, these meetings are not "roundtables" sponsored by the Commission, nor are they hearings held by the Commission. These are meetings of private parties to a case held to facilitate the processing of the case as contemplated by the Commission's IRP rules. To suggest therefore that somehow "meaningful participation" by the public is precluded is simply incorrect.

access to each and every page of the IRP filing and to participate *fully* in these meetings. The undersigned counsel for AmerenUE specifically and personally advised the Environmental Group Intervenor's counsel that a designated representative could fully participate in the first meeting held on January 11, and in any of the subsequent meetings, by signing the Commission's standard Non-Disclosure Agreement. The Environmental Group Intervenors declined to do so.⁴

5. The Company believes it has acted reasonably and in good faith, as reflected in the proposal it made in its January 10 Response to the Motion to Compel. As of the time of this filing, the Environmental Group Intervenors have not responded to that proposal. The Company's proposal allows an in-house representative of each party access to the entire IRP filing by the simple act of signing a Non-Disclosure Agreement in the form approved by the Commission. The Company's proposal will make the most meaningful part of the IRP filing public, without jeopardizing the interests of ratepayers and the Company, as discussed in the Company's January 10 Response. The Company again urges the Commission to approve the Company's proposal and to order the relief prayed for by the Company in its January 10 Response.

⁴ Contrast the Environmental Group Intervenors conscious decision not to participate in the meetings, other than through their counsel, with the participation of the Missouri Industrial Energy Consumers and the Missouri Energy Group, both of whom were willing to sign a confidentiality agreement relating to the IRP filing (because they are not yet parties to the case) and who participated in the first meeting with the Company's full cooperation.

WHEREFORE, AmerenUE files this Response to the Environmental Group Intervenors'

Motion to Continue Meetings.

Dated: January 19, 2006.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via e-mail on the following parties on the 19th day of January, 2006.

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