

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

In re: Union Electric Company's)	
2008 Utility Resource Filing pursuant to)	Case No. EO-2007-0409
4 CSR 240 – Chapter 22.)	

MOTION FOR CLARIFICATION

COMES NOW, Union Electric Company d/b/a AmerenUE (AmerenUE or the Company) and, pursuant to 4 CSR 240-2.160, seeks clarification of ordering paragraph three in the Commission's June 3, 2009 *Order Changing Filing Date for AmerenUE's Next Integrated Resource Plan (IRP Order)*. In support of its *Motion for Clarification*, AmerenUE states as follows:

1. The *IRP* Order extends the due date for AmerenUE's next IRP filing, with one condition contained in ordering paragraph three:

“Union Electric Company d/b/a AmerenUE, shall not make a decision sooner than July 4, 2012 to start construction of a new generating plant unless it receives prior approval from the Commission.”

2. That condition arose from AmerenUE's prior commitment, expressed in AmerenUE's May 11, 2009, filing of its *Motion for Change in Integrated Resource Plan Filing Date and for Expedited Treatment*, that it would not make a decision to start construction of a new *baseload* generating plant until July 4, 2012 without first obtaining Commission approval. This commitment was made in the context of AmerenUE's then-pursuit of the option to build a second nuclear unit at its Callaway Plant site. That this condition arose from a possible second

Callaway unit is also clear from the Commission's June 3rd Agenda discussions which preceded the issuance of the *IRP Order*.

3 As previously addressed by AmerenUE, and as discussed during those Agenda discussions, a requirement that a utility obtain preapproval before making a resource decision is neither contemplated by the IRP rules nor contemplated by the laws that govern public utility regulation. However, AmerenUE has agreed to a condition beyond that which the Commission ordinarily could impose, but only with regard to seeking preapproval of any decision made prior to July 4, 2012 to construct a *baseload* plant. Indeed, the *IRP Order* itself makes clear that the condition was intended to apply only to baseload generation, in that it points out that "[w]ith the time pressure associated with the decision of whether to build a second Callaway unit having been relieved, there is no longer sufficient reason to require that trade-off of quality for time."

4. Consequently, AmerenUE requests the Commission to clarify the portion of the ordering sentence that reads "new generating plant" by inserting the word "baseload" so that the condition would read "new baseload generating plant" instead of "new generating plant."

WHEREFORE, AmerenUE respectfully requests the Commission issue an order clarifying that AmerenUE is not to make a decision to start construction of a new baseload generating plant without prior Commission approval prior to July 4, 2012.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 10th day of June, 2009.

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