

In the Matter of the Application of Union Electric)
Company d/b/a Ameren Missouri for Permission and)
Approval and a Certificate of Public)
Convenience and Necessity Authorizing)
it to Construct, Install, Own,) File No. EA-2012-0281
Operate, Maintain, and Otherwise Control and Manage)
A Utility Waste Landfill and Related Facilities at its)
Labadie Energy Center.)

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) and hereby asks the Commission to authorize re-designation of two pages from one of the schedules attached to the Rebuttal Testimony of Staff witness John Cassidy from public to highly confidential. As reasons therefore, Ameren Missouri states as follows:

1. The Staff submitted Staff Data Request Nos. 2 and 3 to the Company on February 5, 2013. The general subject of the subject data requests related to information and documentation regarding the cost of building, owning and operating the proposed utility waste landfill (“UWL”) and information about other alternatives examined by the Company, including the other 22 sites that had been examined by the Company as discussed in the Company’s Application in this case.

2. The Company's responses to these data requests included the specific locations of other sites and specific alternative cost information. The person responding to the data requests had (or believed he had) communicated to those who were preparing and transmitting the

responses the need to mark the responses highly confidential.¹ However, the highly confidential designation was not made.

3. Thereafter, Staff witness John Cassidy, used a portion of the responses as pages 10 and 11 of Schedule 3 to his rebuttal testimony.

4. Recently, the person responding the data requests realized that the responses had not been marked highly confidential. Thereafter, the Company submitted revised responses with the proper designation, and the Data Center has re-designated the security level of the original responses as highly confidential in EFIS.

5. On August 28, 2013, the Company advised the parties of the original error. The other parties (including Mr. Cassidy, when he included pages 10 and 11 of his Schedule 3 in his pre-filed testimony) were unaware of the original error until the Company advised them of the same.

6. The Staff has indicated that upon issuance of a Commission order it will re-file Mr. Cassidy's testimony in both a highly confidential and public version (with the two subject pages marked highly confidential in the highly confidential version).

WHEREFORE, the Company requests that the Commission issue its order approving the re-designation of pages 10 and 11 to Schedule 3 of Mr. Cassidy's Rebuttal Testimony to highly confidential, and authorizing the Data Center to re-designate the security level on the original version of Mr. Cassidy's testimony from public to highly confidential.

¹ This information is market specific information related to property or services the Company may acquire to provide service and that have been or may be under consideration in contract negotiations. See 4 CSR 240-12.135(1)(B)4 and 6.

Respectfully submitted,

/s/ James B. Lowery

James B. Lowery MBN#40503

Michael R. Tripp MBN#41535

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

tripp@smithlewis.com

Thomas M. Byrne MBN#33340

Director - Assistant General Counsel

Ameren Services Company

1901 Chouteau Ave.

P.O. Box 66149

St. Louis, MO 63166-6149

Telephone: (314) 554-2514

Facsimile: (314) 554-4014

E-Mail: AmerenMOService@ameren.com

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

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served via e-mail to the following on August 30, 2013:

Nathan Williams
Jennifer Hernandez
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102-0360
staffcounsel@psc.mo.gov

Lewis R. Mills
Missouri Office of Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102-2230
opc@ded.mo.gov

Elizabeth J. Hubertz
Maxine I. Lipeles
Interdisciplinary Environmental Clinic at
Washington University School of Law
1 Brookings Drive, Campus Box 1120
St. Louis, MO 63130
ejhubertz@wulaw.wustl.edu
milipele@wulaw.wustl.edu

/s/ James B. Lowery
James B. Lowery