

FILED<sup>2</sup>

Missouri Public  
Service Commission

**MOTION FOR PROTECTIVE ORDER  
AND MOTION FOR EXPEDITED TREATMENT**

2. AmerenUE seeks a protective order in this case to protect proprietary and highly confidential information that is contained in Exhibit HC-1 to its Application,

which is the Asset Purchase and Sale Agreement relating to NRG Audrain combustion turbine generator facility located in Audrain County, Missouri, as well as any additional proprietary or highly confidential information that may appear in additional filings or information provided in connection with this case.

3. The Asset Purchase and Sale Agreement contains highly confidential information relating to the commercial terms of the asset purchase transaction, including the price and other economically significant terms, all of which reflect confidential information about the cost of this proposed AmerenUE generating resource, the disclosure of which could damage AmerenUE's negotiations for other supply-side resources necessary to provide service to ratepayers. The Asset Purchase Agreement contains sensitive, confidential business, technical and financial information and reflects strategies in contract negotiations. Release of information that would otherwise not be made available to the public could have significant adverse effects on AmerenUE's competitive position in acquiring supply-side resources or in otherwise engaging in contract negotiations that can have an effect on its rate base and cost of service that would be detrimental to Applicant and ratepayers. Such information also cannot be found in any format in any other public document.

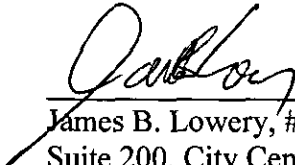
4. Because the Asset Purchase and Sale Agreement is being submitted concurrently with the filing of the Application, AmerenUE respectfully requests that this Motion for Protective Order be granted on an expedited basis, and incorporates herein the bases for seeking expedited treatment set forth in ¶¶ 13 through 15 of the Application.

WHEREFORE, AmerenUE respectfully requests that the Commission issue its standard Protective Order in this case for "Highly Confidential and "Proprietary" information.

Dated: December 27, 2005.

Respectfully Submitted:

**SMITH LEWIS, LLP**

  
James B. Lowery, #40503  
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](mailto:lowery@smithlewis.com)

Thomas M. Byrne, # 33340  
Managing Assoc. General Counsel  
Ameren Services Company  
P.O. Box 66149  
St. Louis, MO 63166-6149  
(314) 554-2514 (phone)  
(314) 554-4014 (fax)  
[tbyrne@ameren.com](mailto:tbyrne@ameren.com)

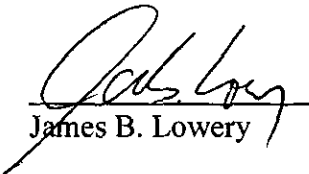
**Attorneys for Union Electric Company  
d/b/a AmerenUE**

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via hand-deliver, to the following parties on the 27th day of December, 2005.

Office of the General Counsel  
Missouri Public Service Commission  
Governor Office Building  
200 Madison Street, Suite 100  
Jefferson City, MO 65101  
[gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov)

Office of the Public Counsel  
Governor Office Building  
200 Madison Street, Suite 650  
Jefferson City, MO 65101  
[opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov)

  
James B. Lowery