

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

In the Matter of the Application of)
Union Electric Company for Authority)
To Continue the Transfer of)
Functional Control of Its Transmission)
System to the Midwest Independent)
Transmission System Operator, Inc.)

Case No. EO-2011-0128

AMEREN MISSOURI'S MOTION FOR CLARIFICATION OF REPORT AND ORDER

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or the "Company"), by and through counsel, and hereby requests that the Commission clarify one aspect of its Report and Order issued in this case on April 19, 2012, and to also clarify the terms under which confidential and proprietary information would be provided. In support of its request, Ameren Missouri states as follows:

1. Prior Stipulations and Agreement pertaining to the Company's Midwest ISO participation, all of which were approved by the Commission (Case Nos. EO-2003-0271 and EO-2008-0134) all defined the term "stakeholder" very specifically. The reason for the specificity was so that the Company knew to whom certain obligations flowed. For example, the Company knew with whom it was to consult regarding future cost-benefit analysis, and to whom certain notices were to be given.

2. At page 22 of the Report and Order, the Commission has directed the Company to "contact and consult with *interested persons or entities* to review with *those stakeholders* the additional analysis" There are several references to such persons and entities in the Report and Order.

3. The Company believes that the Commission's intention was to direct the Company to consult with all of the parties to this case, and that it used the broader "interested

persons or entities” language because the Non-Unanimous Stipulation and Agreement filed in this case limited the term “stakeholder” to the parties to that Stipulation. The Company is not asking the Commission to narrow the group with whom it must consult to just the signatories to that Stipulation, but asks the Commission to clarify that the Company does not have to consult with a potentially unlimited and undefined class of “interested persons or entities.” To that end, the Company requests that the Commission amend the Report and Order to remove all references to “interested persons or entities.” Elimination of this language is also important because later in the Report and Order (e.g., ¶ 2.L) there is a reference to notifying “stakeholders.” Without a defined class of who the “stakeholders” are it is not possible to know who must be notified.

4. The Company also believes a related clarification is needed to address another concern which has always been addressed in prior Commission orders regarding the Company’s Midwest ISO participation.

5. In past orders (reflecting stipulated terms) the Midwest ISO has been given reasonable details of the actual analysis (so that it had the opportunity to comment and suggest corrections if it identified problems), but the Midwest ISO has not been given the same rights of involvement in the collaborative process that leads to the “actual analysis.” This is because the analysis is supposed to examine alternatives, one of which is Midwest ISO participation. The Midwest ISO has a vested interest in analysis results that favor the Midwest ISO. The same is true of the Southwest Power Pool (“SPP”).

6. While the Report and Order (¶ 2.B, page 22-23, and ¶ 2H.G, page 24) does appear to recognize that there is a level of involvement and access to information that should not be granted to the Midwest ISO and SPP, the literal application of the “interested persons and

entities” and “those stakeholders” language in the Report and Order might be construed to suggest that their involvement and access is not limited, as we believe the Commission intends.

7. Consequently, the Company believes the intention of the Commission is (or should be) to exclude the Midwest ISO and SPP from the class or persons or entities covered by the provisions of ¶¶ 2.E and 2.G on pages 23-24 of the Report and Order to parties to this case other than the Midwest ISO and SPP.

8. Perhaps the simplest way to clarify these issues is to eliminate the “interested persons or entities” language throughout the Report and Order, as suggested; to then define “stakeholder” as the parties to this case; but to specifically clarify the limitation on the Midwest ISO’s and SPP’s rights under ¶¶ 2.E and 2.G on pages 23-24 of the Report and Order.

9. The Company also requests that the Commission order that any non-Staff/non-OPC party wishing to receive highly confidential or proprietary information that may be shared as part of this process must agree that it will be treated and handled by the receiving party in accordance with the Commission’s rule, 4 CSR 240-2.135. While the Staff and OPC have statutory obligations of confidentiality, and while we would expect that other parties would adhere to the rule without a specific order, given that there will be no pending docket when such information may be provided the Company believes it is appropriate for the Commission to impose this condition prior to the Company providing such information to them. In prior cases the entities with whom the Company had to share information was much more limited, and there are agreements in place with any non-Staff/non-OPC entity regarding the treatment of such information. Since the class of entities has been broadened in this Report and Order, the need for the requested condition has now arisen.

WHEREFORE, the Company requests the clarifications to the Report and Order set forth above, as well as the imposition of the condition set forth above.

Dated: April 27, 2012.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via e-mail on counsel for the parties of record to this case, on this 27th day of April, 2012.

/s/James B. Lowery
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