

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

Noranda Aluminum, Inc., et al,)	
)	
Complainants,)	
)	
v.)	Case No. EC-2014-0223
)	
Union Electric Company, d/b/a)	
Ameren Missouri)	
)	
Respondent.)	

**CONSUMERS COUNCIL OF MISSOURI'S
MOTION TO DECLASSIFY
HISTORICAL SURVEILLANCE MONITORING REPORTS**

COMES NOW the Consumers Council of Missouri ("CCM" or "Consumers Council"), pursuant to 4 CSR 240-2.135(12) and 4 CSR 240-3.161(16), and moves to declassify all historical surveillance monitoring reports that show earnings (and over-earnings) for Ameren Missouri from 2012 through March 2014. In support, Consumers Council states as follows:

1. On March 25, 2014, in response to a motion filed by the Office of the Public Counsel, the Commission issued an Order finding that good cause existed to waive the confidentiality of Ameren Missouri's Surveillance Monitoring Report, that had been submitted on November 22, 2013, and which shows the actual return on equity resulting for Ameren Missouri during the period ending September 2013.

2. Pre-filed written testimony filed in this case, witnesses has discussed more up-to-date earnings (and over-earnings) information, based in part upon other Ameren Missouri Surveillance Monitoring Reports.

3. On July 15, 2014, based upon good cause shown, the Commission granted the joint motion of AARP and CCM to make public certain redacted portions of written rebuttal and surrebuttal testimonies that had been derived from more recent Ameren Missouri earnings reports, specifically that utility's Surveillance Monitoring Report which shows the actual return on equity over-earnings for the period ending December 31, 2013.

4. Pre-filed written testimony in this complaint case still contains redacted information regarding subsequently submitted Surveillance Monitoring Reports, particularly regarding the report submitted in April 2014 and that shows Ameren Missouri's actual return on equity for the period ending March 2014. Consumers Council expects that the Commission may wish to explore the testimony on this more recent earning period. This more recent earnings information, along with all of the historical earnings information regarding this electric company during the past two years, is directly at issue in this complaint case. The reports and this information, which is of utmost interest to the consuming public who will be required to pay "just and reasonable" rates as approved by this Commission at the conclusion of this case, is still currently being designated as "highly confidential".

5. Now, on the precipice of the evidentiary hearing, Consumers Council believes that the public deserves to hear the live testimony and Opening Statements that will discuss previous Surveillance Monitoring Reports, specifically those reports showing actual returns on equity that resulted from 2012 until March 2014. No justifiable reason exists to for nearly four-month-old historical information (based upon actual earnings through March 2014) for a regulated monopoly should continue to be

shielded from public view. Consumers Council contends that good cause exists to declassify all historical Ameren Missouri Surveillance Reports showing its earnings (and over-earnings) from 2012 through March 2014.

6. Consumers Council has reason to believe that the Complainants and other parties plan to discuss the historical Ameren Missouri Surveillance Reports which show earnings (and over-earnings) from 2012 through March 2014 during their Opening Statements, and this discussion is relevant—in fact *central*—to the issues in this case. If those reports are not declassified, the public may not be allowed to hear or see Opening Statements in this case, even though millions of dollars of public rate revenue is at stake.

7. Consumers Council has reason to believe that various new media representatives will be attending the evidentiary hearing, or will be attempting to listen online to the live streaming on the proceedings tomorrow. If the Commission continues to keep secret the historical reports which show Ameren Missouri's earnings (and over-earnings) from 2012 through March 2014, the fourth estate may be prevented from hearing Opening Statements, as well as prevented from hearing important cross-examination during the evidentiary hearing, and may be otherwise seriously limited in its ability to report on and to understand the full significance of this complaint case. Consumers Council believes that the Commission should conduct the upcoming evidentiary hearing in as much sunshine as possible, and doing so would involve the declassification of the aforementioned reports.

WHEREFORE, Consumers Council respectfully requests that the Commission order the declassification of the historical Ameren Missouri Surveillance Reports that

show the utility's earnings (and over-earnings) from 2012 through March 2014 and allow the parties to discuss the results of those reports during the evidentiary hearing in a manner that the general public may see and hear it. Consumers Council intends to call up this motion during the preliminary matters portion of the hearing tomorrow morning at 8:30 a.m.

Respectfully submitted,

/s/ John B. Coffman

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Dated: July 27, 2014

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing has been mailed, emailed or hand-delivered to the parties listed on the Missouri Public Service Commission's official service list of this proceeding on this 27th day of July 2014.

/s/ John B. Coffman
