

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

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

**ORDER GRANTING  
MOTION TO RE-DESIGNATE PORTIONS OF TESTIMONY AS PUBLIC**

Issue Date: July 15, 2014

Effective Date: July 15, 2014

The prefiled surrebuttal testimony of Complainant witness Greg Meyer and the prefiled rebuttal and surrebuttal testimony of Staff witness John Cassidy include information that was designated as highly confidential. That designation means that while the attorneys for all parties can see the information, the information cannot be disclosed to the public. On July 10, 2014, AARP and the Consumers Council of Missouri filed a motion asking the Commission to re-designate certain information included in that testimony so that it is available to the public. The motion represents that Ameren Missouri does not object to the proposed re-designation of the information.

In response to AARP and Consumers Council's motion, the Commission allowed all parties until July 14 to respond. The Office of the Public Counsel responded in support of the motion. Ameren Missouri and the Commission's Staff confirmed that they do not object to making the described information available to the public. No other party filed a response.

The information in question is derived from a surveillance monitoring report submitted to the Commission by Ameren Missouri on December 31, 2013. By rule, surveillance

monitoring reports are designated as highly confidential.<sup>1</sup> Because the surveillance monitoring report is highly confidential, all numbers derived from that report were also designated as highly confidential when they were included in testimony, and, therefore, are unavailable to the public.

Commission rule 4 CSR 240-3.161(16) allows the Commission to waive any provision of that rule for good cause shown. AARP and Consumers Council have demonstrated good cause to waive the provision of the rule that makes the surveillance monitoring report of December 31, 2013 highly confidential. This waiver applies only to that particular report and does not change the rule's general requirement that such surveillance monitoring reports be filed as highly confidential. Because the December 31, 2013 surveillance monitoring report is no longer highly confidential, the references to that report in the testimony are also no longer highly confidential.

Aside from references to numbers derived from the December 31, 2013 surveillance monitoring report that are made public by this order, the surrebuttal testimony of Greg Meyer and the rebuttal and surrebuttal testimony of John Cassidy contain other information that must remain highly confidential. The parties have agreed that the following information in that testimony shall continue to be designated as highly confidential:

Surrebuttal Testimony of Greg Meyer

- The redacted Budget 2014 numbers contained on the last line of Table 2 and Table 3 on pages 12-13.
- The redacted portions on page 17, lines 6-7.
- The redacted number on page 17, line 23.
- The redacted information on page 18, lines 5-7.

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<sup>1</sup> Commission rule 4 CSR 240-3.161(6).

- The number contained on page 19, line 4.

#### Rebuttal Testimony of John Cassidy

- All earned ROE's subsequent to December 31, 2013 and before the twelve months ending September 30, 2013, on pages 18-19.
- Maintenance expense budget information for Budget 2013 and Budget 2014, on pages 32 and 33.
- The redacted coal increase numbers on page 39, lines 19 and 21.
- The redacted information regarding the estimated cost of the Callaway nuclear reactor head project on page 42, lines 5-8.

#### Surrebuttal Testimony of John Cassidy

- The coal increase information on page 5, line 2.

All other information in that testimony that was designated as highly confidential is re-designated as public information.

AARP and Consumers Council's motion asks the Commission to direct its data center to re-designate portions of the prefiled testimony of Meyer and Cassidy as public rather than highly confidential in the Commission's Electronic Filing Information System (EFIS). In that way, the public will be able to view the re-classified portions of the testimony. Unfortunately, the data center cannot do directly what AARP and Consumers Council ask. It can only designate entire documents as highly confidential, proprietary, or public. It cannot go into a document to change the designation of only a portion of the document. To make the previously highly confidential portions of the testimony available to the public, the Complainants and Staff will need to revise the public and highly confidential versions of their testimony.

**THE COMMISSION ORDERS THAT:**

1. The Surveillance Monitoring Report filed by Union Electric Company, d/b/a Ameren Missouri on December 31, 2013, previously designated as highly confidential, is re-designated as public information.
2. Portions of the Surrebuttal Testimony of Greg Meyer and the Rebuttal and Surrebuttal Testimony of John Cassidy, previously classified as highly confidential are re-classified as public information. Other portions of that testimony, as described in the body of this order, shall remain as highly confidential
3. No later than July 21, the Complainants shall file revised public and highly confidential versions of the surrebuttal testimony of Greg Meyer to incorporate the re-designations described in this order.
4. No later than July 21, the Commission's Staff shall filed revised public and highly confidential version of the rebuttal and surrebuttal testimony of John Cassidy to incorporate the re-designations described in this order.
5. This order shall become effective upon issuance.

**BY THE COMMISSION**



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 15<sup>th</sup> day of July, 2014.