

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

Noranda Aluminum, Inc., et al.,)	
)	
Complainants,)	
)	
vs.)	<u>Case No. EC-2014-0224</u>
)	
Union Electric Company doing business)	
as Ameren Missouri,)	
)	
Respondent.)	

Staff’s Response to Applications for Rehearing

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Response to Applications for Rehearing*, states as follows:

General:

Staff was and is **OPPOSED** to the relief sought by Noranda. Efforts to twist Staff’s words in an attempt to support a different outcome are misguided and wrong.

Staff was and is **OPPOSED** to the relief sought by Noranda because it would be an unfair imposition on the great majority of Ameren Missouri’s customers who do not live in the Bootheel and are not employed by Noranda. Should the Missouri General Assembly believe that some sort of relief for Noranda would be in the best interests of this state, it is able to provide it.

Staff urges the Commission to **DENY** the various applications for rehearing because the Commission got it right the first time.

Noranda:

Noranda misstates Staff’s testimony in an effort to support its *Application for*

Rehearing. Staff consistently asserted that any reduced rate **must** continue to be subject to the Fuel Adjustment Clause (“FAC”) and **must not** be capped with respect to any future rate increases. Noranda conveniently ignores this fact in its *Application for Rehearing*. Staff’s testimony sought to evaluate the claims made by Noranda’s expert witnesses, not to provide substitute numbers with which to fashion rate relief. Staff’s conclusion, by the way, was and is that Noranda’s math is wrong.

MIEC:

Nothing in MIEC’s *Application for Rehearing* requires a response.

MRA:

Nothing in MRA’s *Application for Rehearing* requires a response.

Public Counsel:

OPC’s assertion that the Commission applied the wrong standard to Noranda’s claim of a liquidity crisis is simply wrong. The Commission did not find Noranda’s evidence to be credible, as is its right as the finder of fact. That means Noranda loses.

Ameren Missouri’s tariffed rates charged to Noranda are presumptively just and reasonable. What’s more, Noranda never said that they are not in this case. Rather, Noranda said it needs a break because of the liquidity crisis that the Commission does not believe it has.

Noranda tried to sell a particular package deal to the Commission, but the Commission didn’t buy it. The Commission’s decision is both reasonable and lawful and Noranda will not get a different outcome on appeal.

Consumers’ Council:

Staff denies that anything in its testimony supports the Consumers’ Council’s

assertion that “the Non-Unanimous Stipulation would result in *lower rates for all consumers over the next five years*, than will otherwise occur[.]”

WHEREFORE, Staff prays that the Commission **DENY** the several applications for rehearing now pending in this matter; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Kevin A. Thompson

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Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **22nd day of September, 2014**, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

/s/ Kevin A. Thompson