

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

In the Matter of Union Electric Company	)	
d/b/a Ameren Missouri's Tariff to Increase	)	Case No. ER-2014-0258
Its Revenues for Electric Service	)	

**APPLICATION TO INTERVENE OUT OF TIME  
OF THE UNITED STEELWORKERS UNION**

Comes now the United Steelworkers Union (herein "the USW") and, pursuant to 4 CSR 240-2.075 (4) and 4 CSR 240-2.0804, files its application to intervene out of time. For its application, the USW states as follows:

1. This case concerns the rate increase application of Union Election Company, d/b/a Ameren Missouri ("Ameren"). Ameren filed its rate increase application on July 3, 2014.
2. Prior to Ameren's filing in this case, Noranda Aluminum, Inc. ("Noranda") and 37 individual complainants (referred to collectively as "Complainants") filed a rate design complaint proceeding, assigned Case No. EC-2014-0224 ("Rate Design Complaint Case"). In that case, the Complainants requested certain rate relief, and testified that this relief was necessary to prevent closure of its New Madrid smelter, which would result in devastating job loss, increased rates to Ameren customers, severe damage to the economy of Southeast Missouri and significant harm to Missouri's economy as a whole. At a late stage of that case, the Complainants, the Office of Public Counsel, the Missouri Industrial Energy Consumers, the Missouri Retailers Association and the Consumers Council of Missouri ("Consumer Parties") filed a stipulation recommending rate relief at a more modest level than the Complainants originally requested, with the addition of certain employment commitments and capital spending commitments by Noranda.

3. In the Rate Design Complaint case, the Commission issued a Report and Order on August 20, 2014 denying Complainants' rate relief request and declining to fully consider or adopt the stipulation. The Report and Order indicated that the Commission may be willing to consider the Consumer Parties' stipulation in the present case. On September 30, 2014, the Commission denied the applications for rehearing filed by the Consumer Parties. The Commission's agenda discussion regarding the order denying rehearing indicated that the Consumer Parties' stipulation may be considered in the present case.

4. On October 10, 2014, the Office of Public Counsel, the Missouri Retailers Association, the Missouri Industrial Energy Consumers and the Consumers Council of Missouri filed a stipulation ("Consumer Stipulation") in the present case seeking rate relief for Noranda and requesting an effective date of December 31, 2014.

5. The USW represents the vast majority of the 900 workers employed by at the New Madrid smelter. Accordingly, the USW will be directly impacted by the Commission's rulings in this case. The Commission's decision will have a profound impact on the lives and well-being of these workers, their families and their communities.

6. The USW and its members have a direct and compelling interest in this case which cannot be adequately represented by any other party. If allowed to intervene, the USW would be the only party directly representing the interest of the New Madrid smelter's 800 union workers.

7. The USW strongly supports the Consumer Stipulation. The USW has not yet determined whether it will take positions on any other issues in this case, but it reserves the right to take positions on additional issues as the case proceeds.

8. Good cause exists for the Commission to permit the USW to intervene out of time. At the time of the intervention deadline in this case, the Commission had not yet decided the fate

of the Complainants' request in the Rate Design Complaint case, and the Commission had not indicated that it would consider the stipulation in the present case. Since the intervention deadline, the Commission has stated it may be interested in considering a stipulation that could potentially provide Noranda with some measure of rate relief in this case. The Commission's decision regarding the Consumer Stipulation will have a direct impact on the Noranda employees represented by the United Steelworkers. Although the USW has not previously intervened in Ameren rate cases, it is moved to do so for the first time in this case because the outcome will have unprecedented impact on its members. The USW's tardiness in submitting this application did not result from negligence or any intention to cause delay or inconvenience to the Commission or the parties. Rather, its delay was occasioned by the evolving nature of the issues and proceedings in this case, and the fact that it has only recently become clear that decisions made in this case will have a crucial impact on the interests of its members.

8. If the USW's application is granted, it will accept the record as it stands. This case is at an early stage, and no party will be prejudiced by its intervention. The USW's participation in this case will serve the public interest by providing the unique perspective of the union and its members, and will therefore benefit the Commission's record for decision in this case.

WHEREFORE, the United Steelworkers Union respectfully request that the Commission grant its application to intervene out of time for good cause shown, and allow the United Steelworkers Union to be made a party to this case for all purposes.

Respectfully submitted,

/s/ John P. Hurley

John P. Hurley MO Bar No. 28544

Jolley Walsh Hurley Raisher & Aubry, P.C.

204 West Linwood Blvd

Kansas City, MO 64111

Tele: 816-561-3755

Fax: 816-561-9355

E-Mail: [jphurls@hotmail.com](mailto:jphurls@hotmail.com)

Attorney for the United Steelworkers Union

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 17th day of October, 2014, to all parties on the Commission's service list in this case.

/s/ John P. Hurley