

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

Application of Union Electric Company d/b/a	)	
Ameren Missouri for Approval of Decommissioning	)	
Cost Estimate for Callaway Energy Center and Funding	)	Case No. EE-2015-
Level of Nuclear Decommissioning Trust Fund.	)	

**REQUEST FOR VARIANCE OF DATE FOR  
DECOMMISSIONING COST ESTIMATE FILING  
AND MOTION FOR EXPEDITED TREATMENT**

**COMES NOW**, Union Electric Company d/b/a Ameren Missouri (Ameren Missouri or the Company), and pursuant to 4 CSR 240-3.185(5), hereby respectfully requests that the Missouri Public Service Commission (Commission) grant Ameren Missouri a seven month extension for filing its cost estimates for decommissioning the Callaway Energy Center. In support of this request, Ameren Missouri states as follows:

1. Every three years, on September 1<sup>st</sup>, utilities with decommissioning trust funds are required to file cost studies detailing the latest cost estimates for the decommissioning of the utility's nuclear plant(s) along with the funding levels necessary to defray these decommissioning costs. 4 CSR 240-3.185(3).

2. Ameren Missouri's next cost estimates are due to be filed with the Commission no later than September 1, 2014.

3. At this time, Ameren Missouri has pending before the Nuclear Regulatory Commission (NRC) a request to extend the life of its Callaway Energy Center from 2024 to 2044. To approve this request the NRC relies upon its generic determination regarding the environmental impacts of storing spent nuclear fuel beyond the licensed life for operation of a nuclear power plant. This generic analysis has been incorporated into the Commission's National Environmental Policy Act (NEPA) reviews for license renewals by way of the NRC's Waste Confidence Rule. The Waste

Confidence Generic Environmental Impact Statement (GEIS) and rule satisfy the NRC's obligations under NEPA with respect to post-licensed-life storage of spent nuclear fuel. The GEIS assesses the environmental impacts of storing spent fuel for the period after the license for a nuclear reactor expires until the fuel is removed from the site for disposal by the federal government as required by current law.

4. On June 8, 2012, the U.S. Court of Appeals for the DC Circuit found that some aspects of the 2010 Waste Confidence Rule rulemaking did not satisfy the NRC's NEPA obligations and vacated the rulemaking. *New York V. NRC*, 681 F.3d 471 (D.C. Cir. 2012). In response to the Court's decision, the NRC decided to stop all licensing activities that rely on the Waste Confidence Rule, including the Callaway Energy Center's License Renewal. *See Memorandum and Order CLI-12-016*.

5. Before the NRC can lift its suspension of all licensing activities that rely on the Waste Confidence Rule, it must issue a new rule. On July 21, 2014, the NRC staff has submitted to the NRC a proposal for the final Waste Confidence Rule. The staff's submittal also includes the proposed GEIS. The final rule is scheduled to be issued in early October, which will require the NRC to act expeditiously to avoid delays. After the final rule is issued, the NRC will be free to rule on the Callaway Energy Center's license Renewal. While the NRC has not yet granted (or rejected) the Company's life extension request, Ameren Missouri anticipates that it will do so within the next six months.

6. Ameren Missouri is just now in the process of completing the required decommissioning cost estimate and funding adequacy study for the Callaway Energy Center. Because the number of years left in the expected life of Callaway will have a significant impact on the level of funding required from Ameren Missouri's customers, the Company feels it would be

beneficial to provide the required decommissioning information after the NRC has made a decision on the Company's life extension request. Ameren Missouri requests a variance from the September 1<sup>st</sup> date and that it be allowed to provide the required information no later than April 1, 2015.

7. Ameren Missouri has discussed this request with the Commission Staff and the Office of the Public Counsel (OPC). The Staff and the OPC have indicated that they support or do not oppose this variance request.

8. Ameren Missouri has filed this request as soon as possible after it recognized the potential impact upon rates and upon customers due to not taking into account the extended life of the Callaway Energy Center. Granting the request will allow Ameren Missouri to calculate a more accurate level of decommissioning costs. Ameren Missouri asks the Commission to issue an order granting the requested variance no later than August 29, 2014.

**WHEREFORE**, Ameren Missouri requests that the Missouri Public Service Commission grant it a variance from 4 CSR 240-3.185(3) so that the Company is allowed to file its latest cost estimates and other related information no later than April 1, 2015. Ameren Missouri also requests the Missouri Public Service Commission issue its order on this request no later than August 29, 2014.

Respectfully submitted,

/s/ Wendy K. Tatro

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**ATTORNEYS FOR UNION ELECTRIC  
COMPANY d/b/a AMEREN MISSOURI**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic transmission, facsimile or email to Missouri Public Service Commission Staff and Office of the Public Counsel on this 15<sup>th</sup> day of August, 2014.

/s/ *Wendy K. Tatro*