

In the Matter of Union Electric Company)
d/b/a AmerenUE for Authority to File)
Tariffs Increasing Rates for Electric)
Service Provided to Customers in the)
Company's Missouri Service Area.)

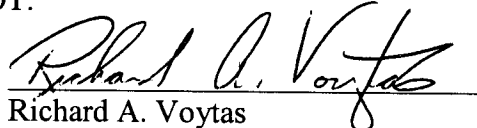
STATE OF MISSOURI)
) ss
CITY OF ST. LOUIS)

¹ Hearing Transcript, Case No. EO-2007-0002, page 3124, lines 21-24.

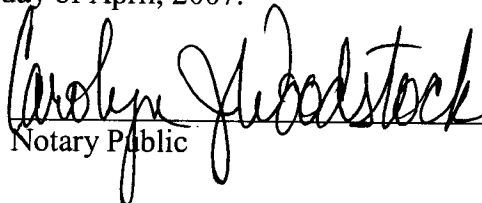
3. In checking on my recollection, I discovered that I was partially correct. Part of my recollection was based on the above-quoted statement in Mr. Kind's Metro East testimony, but part of my recollection was also based on statements made by Mr. Kind in a letter I received from him on or about October 8, 2002 wherein he states that "OPC recommended considering the possible purchase of existing plants under distressed circumstances (e.g., the NRG and Aquila plants within the Ameren control area . . .)." Mr. Kind's letter also stated that "UE acknowledged that the owners of these plants were in severe financial distress and that the plants may be attractive options, contingent on having current transmission problems resolved."

4. When answering the question posed to me by Mr. Mills at page 3124 at lines 13-17 of the hearing transcript, I was thinking of the prior statements I knew Mr. Kind had made both, as it turns out, in his testimony in the Metro East case and in his prior letter to me.

FURTHER AFFIANT SAYETH NOT.


Richard A. Voytas

Subscribed and sworn to before me this 3rd day of April, 2007.


Notary Public

My commission expires May 19, 2008.

