BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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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.

Case No. ER-2007-0002

AFFIDAVIT OF RICHARD A. VOYTAS

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

Richard A. Voytas, being first duly sworn on his oath, states:

1. My name is Richard A. Voytas. I work in St. Louis, Missouri and I am employed by Ameren Services Company as Manager of Corporate Analysis.

2. During my live testimony in the above-captioned case on March 23,

2007,¹ I indicated my recollection that Mr. Kind's testimony in the Metro East case was to the effect that the Company should have purchased the combustion turbine plant formerly owned by NRG located in Audrain County, Missouri. My recollection was partially correct in that Mr. Kind did contend that the NRG plant should be considered versus other resource options. Mr. Kind's Rebuttal Testimony in the Metro East case (Case No. EO-2004-0108) was that "UE knew of other resource options (including NRG's Audrain plant) but failed to pursue them or compare them to the cost of the capacity provided by the proposed transfer." Ryan Kind Rebuttal Testimony, Case No. EO-2004-0108, at p. 26, lines 11-13.

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.

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

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My commission expires May 19,2008.

