

APPLICATION FOR SUBPOENA DUCES TECUM

Case No. ER-2012-0166

1. **GOOD CAUSE:** The hearing in this matter begins on September 24, 2012, which is less than twenty (20) days from today, September 5, 2012. This *Subpoena Duces Tecum* is for a Records Deposition. Due to the press of other business, Staff was unable to schedule this deposition sooner.

2. **RELEVANCE AND MATERIALITY:** Staff believes that the documents designated for production on Exhibit A, which are pages that were removed from the corporate board of directors' records of Ameren Corporation prior to a scheduled review of those records last week by Staff Expert David Murray, will reveal that Ameren Corporation and its paid consultants utilize for internal purposes cost of equity estimates significantly lower than those recommended by Ameren Missouri's expert witness Robert Hevert in the present rate case, thereby corroborating the testimony offered by Mr. Murray. The designated documents will also reveal risk factors and credit impediments applicable to Ameren Missouri and therefore relevant to the Commission's determination of the appropriate return on common equity. Staff believes that the designated documents, while confidential, are not privileged.