

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

Noranda Aluminum, Inc., et al,	)	
	)	
Complainants,	)	
	)	
v.	)	<b>Case No. EC-2014-0223</b>
	)	
Union Electric Company, d/b/a	)	
Ameren Missouri	)	
	)	
Respondent.	)	

**RESPONSE TO THE MOTION TO MAKE PUBLIC CERTAIN DOCUMENTS  
REGARDING AMEREN MISSOURI'S EARNINGS**

COMES NOW AARP and the Consumers Council of Missouri ("CCM") in response to the Office of the Public Counsel's ("Public Counsel's) Motion to Make Public Certain Documents Regarding Ameren Missouri's Earnings ("Motion"), filed on March 12, 2014 in this proceeding, which asks the Missouri Public Service Commission ("Commission") to declassify the Surveillance Monitoring Report submitted by the electric utility on November 22, 2013 ("Surveillance Monitoring Report") along with the Direct Testimony of Greg Meyer filed in this proceeding. AARP and CCM wholeheartedly support this Motion.

The allegation that Ameren Missouri's electric rates are currently generating significantly excessive earnings is a matter of extreme interest to the rate-paying public. However, as long as the Surveillance Monitoring Report is allowed to remain secret, the very consumers who pay these disputed electric rates are prevented from fully understanding the magnitude of what is at stake in this proceeding.

Even though undersigned counsel is allowed to personally review surveillance monitoring reports due to participation in previous Ameren Missouri rate cases, attorney client communication is severely hampered due to the secrecy surrounding the report that is the basis of the allegations in this case. Furthermore, AARP and CCM may not make informed decisions regarding its investment of litigation resources in this rate case, much less may these organizations communicate with their respective members regarding the amount in dispute in this rate case, so long as the amount in controversy in this rate case remains shielded from public view.

There is no persuasive legal or policy argument in favor of denying Public Counsel's Motion. The Surveillance Monitoring Report contains actual historic information. Nothing contained in the Surveillance Monitoring Report is information that would qualify under the Commission's definition of "Highly Confidential". Rule 4 CSR 240-2.135(1)(B).

Wherefore, AARP and CCM believe that this rate case should be litigated in the sunshine, and respectfully request that the Commission expeditiously grant Public Counsel's Motion.

Respectfully submitted,

/s/ John B. Coffman

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Attorney for AARP and for CCM

Dated: March 14, 2014

## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing has been mailed, emailed or hand-delivered to the parties listed on the Missouri Public Service Commission's official service list of this proceeding on this 14<sup>th</sup> day of March 2014.

/s/ John B. Coffman

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