

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

In the Matter of Noranda Aluminum, Inc.’s	)	
Possible Material Default in a Condition	)	File No. EO-2016-0203
Necessary to Remain on the IAS Rate	)	
Schedule Established in Case No.	)	
ER-2014-0258.	)	

**AMEREN MISSOURI’S REPLY TO NORANDA’S RESPONSE**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) and for its Reply to *the Response by Noranda Aluminum, Inc. to Petition of the Staff of the Missouri Public Service Commission* (“Petition”), states as follows:

1. On February 3, 2016, the Staff of the Missouri Public Service Commission (“Staff”) filed a petition requesting a docket be opened to determine whether Noranda Aluminum, Inc. (“Noranda”) has failed materially to comply with any condition required to access the rate for the Industrial Aluminum Smelters (“IAS”) class.

2. On February 9, 2016, Noranda filed its response to the Petition. In its response, Noranda set forth multiple events which impacted Noranda’s ability to comply with certain terms and conditions of the IAS rate and points out that each of those events are and were outside of its control.

3. The Report and Order in File No. ER-2014-0258 (the case which established the IAS rate) explicitly provides for this situation. The Commission said that it would assess any claim of a violation of the terms or conditions, including any evidence of *force majeure*.<sup>1</sup>

4. Ameren Missouri believes that the events listed in Noranda’s February 9<sup>th</sup> response constitute events outside of Noranda’s control, for all of the reasons set forth in Noranda’s response.

5. For that reason, Ameren Missouri believes that a sufficient basis for removing Noranda from the IAS rate does not exist at this time.

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<sup>1</sup> File No. ER-2014-0258, Report and Order, Issued April 29, 2015, p. 139.

WHEREFORE, Ameren Missouri submits its response to the pleading filed by Noranda Aluminum, Inc. and states that a sufficient basis does not exist to allow the Missouri Public Service Commission to remove Noranda Aluminum, Inc. from the Industrial Aluminum Smelter rate at this time.

Respectfully Submitted,

/s/ Wendy K. Tatro

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

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing has been served this 19<sup>th</sup> day of February, 2016, electronically or by First Class Mail, postage prepaid, upon all of the parties hereto according to the Service List for this case.

/s/ Wendy K. Tatro