

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

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

**COMPLAINANTS’ RESPONSE AND CLARIFICATION OF POSITION REGARDING
AMEREN MISSOURI’S REQUEST TO MODIFY PROCEDURAL SCHEDULE**

Come now Complainants and for their response and clarification of position regarding Ameren Missouri’s *Request to Modify Procedural Schedule*, state as follows:

1. On April 23, 2014 the Commission issued its *Order Modifying Procedural Schedule* (“Order”) scheduling the evidentiary hearing in this case for July 28 through August 1, 2014 and an anticipated decision date of September 26, 2014.

2. On May 5, 2014 Ameren Missouri filed its *Request to Modify Procedural Schedule* seeking to delay the evidentiary hearing in this case to August 11, 2014 citing Ameren’s counsel’s vacation and conflicts of two Ameren Missouri witnesses during some or all of that week.

3. Additionally, Ameren Missouri’s *Request to Modify Procedural Schedule* seeks to delay the anticipated decision date in this case to October 10, 2014.

4. Ameren Missouri correctly states in its pleading that the Complainants do not object to accommodating Ameren Missouri’s request to change the evidentiary hearing dates. However, Complainants do object to Ameren Missouri’s proposal to delay the anticipated decision date in this case due to the substantial cost to consumers that could result from delay¹.

^{1/} Ameren’s proposed two-week delay for the decision date in this case could cost ratepayers over \$2.5 million if the Commission finds in favor of the Complainants, as noted by AARP and

5. Complainants object to Ameren Missouri's proposed delay of the Commission's anticipated decision date, and respectfully submit that this delay is neither required nor warranted by Ameren Missouri's request to postpone the evidentiary hearing.

6. If the Commission is inclined to grant Ameren Missouri's request but finds that the delay in the hearing dates would unduly compress the time for briefing or deliberation, Complainants suggest that the briefing schedule be adjusted so that initial briefs are due on August 29, 2014 and reply briefs are due on September 8, 2014 (or whatever alternative briefing schedule might be acceptable to the Commission), so that the Commission's originally scheduled decision date of September 26, 2014 may be retained.

WHEREFORE, Complainants respectfully request that the Commission reject Ameren Missouri's request to modify the anticipated decision date in this case, and make appropriate adjustments to the briefing schedule in the event the Commission grants Ameren Missouri's request to change the hearing date in this case.

Respectfully submitted,

BRYAN CAVE, LLP

By: /s/ Diana M. Vuylsteke
Diana M. Vuylsteke, # 42419
211 N. Broadway, Suite 3600
Telephone: (314) 259-2543
Facsimile: (314) 259-2020
E-mail: dmvuylsteke@bryancave.com

Edward F. Downey, #28866
221 Bolivar Street, Suite 101
Jefferson City, MO 65109
Telephone: (573) 556-6622
Facsimile: (573) 556-7442
E-mail: efdowney@bryancave.com

Attorneys for Complainants

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 13th day of May, 2014, to all parties of record in this case.

/s/ Diana M. Vuylsteke