

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

In the Matter of Noranda Aluminum, Inc.'s	)	
Request for Revisions to Union Electric	)	
Company d/b/a Ameren Missouri's Large	)	Case No. EC-2014-0224
Transmission Service Tariff to Decrease its	)	
Rate for Electric Service	)	

**COMPLAINANTS' SUGGESTIONS IN SUPPORT  
OF JOINTLY PROPOSED PROCEDURAL SCHEDULE**

COME NOW Complainants, and for their Suggestions in Support of Jointly Proposed Procedural Schedule, state as follows:

1. By Order of this Commission, the parties met on March 28, 2014 on this case and Case No. EC-2014-0223. By further Order of this Commission, the Parties were to file by April 1, 2014, proposed procedural schedules in this case and Case No. EC-2014-0223.

2. On April 1, 2014, Complainants, the Office of Public Counsel, Consumers Council of Missouri, the Missouri Retailers Association, the Missouri Industrial Energy Consumers and the Cities of O'Fallon and Ballwin filed a Revised Joint Proposed Procedural schedule in this case ("Jointly Proposed Schedule"). The submission shows that River Cement Company, Continental Cement Company, Wal-Mart East, LP, and Sam's East, Inc. do not oppose the Jointly Proposed Schedule. Additionally, on that date the Staff filed its concurrence with the Jointly Proposed Schedule. The only other party in these cases, Ameren Missouri, filed its response to the above orders. It suggests that no procedural schedule be adopted at this time or, alternatively, that this case and Case No. EC-2014-0223 be delayed for consolidation into a rate case that Ameren Missouri has yet to file. It then proposes a schedule that will not result in a decision in the proposed consolidated case until May 2015.

3. As the Complaint and direct testimonies in this case demonstrate, without the requested relief in this matter, rendered quickly, Noranda will be forced to very shortly lay off 150-200 employees, and will suffer the substantial likelihood of imminent closure of the New Madrid smelter. The Complaint alleges that the negative impact to Ameren Missouri's ratepayers from such a closure would be greater than the impact to them from granting the relief requested herein. The Complaint further alleges that should the Commission grant the requested relief, Ameren Missouri should be held harmless, meaning that the resulting rates should be revenue-neutral for Ameren Missouri. Since the filing of the Complaint, the urgency of Noranda's rate request has increased, as shown in the attached Affidavit of Kip Smith.

4. Prior to filing the Complaint, Noranda determined that, like many other aluminum smelter operators in the United States, its continued viability would hinge on obtaining electricity rate relief. Prior to filing the Complaint, it met with Ameren Missouri, the Commission Staff, Public Counsel, other ratepayers and representative ratepayer organizations including the Consumers Council of Missouri, the Missouri Retailers Association, and the Missouri Industrial Energy Consumers. Noranda conferred with area legislators since closure of the smelter would have a significant impact on Southeastern Missouri. Additionally, because of the legal requirements for filing such complaints, Noranda met with many Ameren Missouri ratepayers so that it would have at least twenty-five such ratepayers to join the complaint. After taking all reasonable and necessary steps, Noranda filed its Complaint as soon as it was reasonably practicable.

5. The timing of the filing of the Complaint was also based on the outlook for improvement (or lack thereof) in the financial factors underlying the Complaint. Noranda has been closely monitoring the likelihood of an increase in the LME price for aluminum, which has

experienced an unprecedented period of low levels. The Complaint was filed as soon as it could have been after it became clear that the financial factors underlying the Complaint were reaching a critical point and unlikely to improve.

6. As demonstrated by the Complaint, the direct testimonies and the attached Affidavit of Kip Smith, the Jointly Proposed Schedule is in the public interest, and good cause exists for adopting this schedule. This is because: (1) without the requested relief, rendered quickly, there will shortly be a layoff of 150-200 people causing a negative financial impact to them, to the State of Missouri, and to Southeastern Missouri; and (2) without the requested relief, rendered quickly, there is a substantial likelihood of imminent smelter closure, resulting in significant financial harm to the smelter's employees, to the State of Missouri, to Southeastern Missouri and to Ameren Missouri's other ratepayers who will then be forced to pay higher rates than if the requested relief is timely granted. This is very clearly a case where justice delayed is justice denied.

WHEREFORE, Complainants pray the Commission adopt the Jointly Proposed Procedural schedule.

Respectfully submitted,

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Attorneys for Complainants

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 2<sup>nd</sup> day of April, 2014, to all counsel of record.

/s/ Edward F. Downey