

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

Noranda Aluminum, Inc., et al.,)	
)	
Complainants,)	
)	
vs.)	<u>Case No. EC-2014-0224</u>
)	
Union Electric Company doing business)	
As Ameren Missouri,)	
)	
Respondent.)	

**LIST OF ISSUES, LIST AND ORDER OF WITNESSES,
ORDER OF OPENING STATEMENTS, AND ORDER OF CROSS-EXAMINATION**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and on behalf of all of the parties,¹ submits the following *List of Issues, List and Order of Witnesses, Order of Opening Statements, and Order of Cross-Examination*:

List of Issues:

This *List of Issues* includes contributions by several parties with adverse positions in this action; it is necessarily a compromise. Not all parties agree that every issue herein listed is properly an issue to be decided by the Commission in this case. Not all parties agree on the wording of every issue.

1. Is Noranda experiencing a liquidity crisis such that it is likely to cease operations at its New Madrid smelter if it cannot obtain relief of the sort sought here?
 - a. If so, would the closure of the New Madrid smelter represent a significant detriment to the economy of Southeast Missouri, to local tax revenues, and to state tax revenues?

¹ Most of the parties affirmatively indicated their agreement with this *List of Issues*; however, some had not as of the time of filing. No party affirmatively indicated its disagreement with this *List of Issues*.

- b. If so, can the Commission lawfully grant the requested relief?
 - c. If so, should the Commission grant the requested relief?
- 2. Would rates for Ameren Missouri's ratepayers other than Noranda be lower if Noranda remains on Ameren Missouri's system at the reduced rate?
- 3. Would it be more beneficial to Ameren Missouri's ratepayers other than Noranda for Noranda to remain on Ameren Missouri's system at the requested reduced rate than for Noranda to leave Ameren Missouri's system entirely?
- 4. Is it appropriate to redesign Ameren Missouri's tariffs and rates on the basis of Noranda's proposal, as described in its Direct Testimony and updated in its Surrebuttal Testimony?
 - a. If so, should Noranda be exempted from the FAC?
 - b. If so, should Noranda's rate increases be capped in any manner?
 - c. If so, can the Commission change the terms of Noranda's service obligation to Ameren Missouri and of Ameren Missouri's service obligation to Noranda?
 - d. If so, should the resulting revenue deficiency be made up by other rate payers in whole or in part?
 - e. If so, how should the amount of the resulting revenue deficiency be calculated?
 - f. If so, can the resulting revenue deficiency lawfully be allocated between ratepayers and Ameren Missouri's shareholders?
 - i. How should the revenue deficiency allocated to other ratepayers be allocated on an interclass basis?
 - ii. How should the revenue deficiency allocated to other ratepayers be allocated on an intra-class basis?
 - g. If so, what, if any, conditions or commitments should the Commission require of Noranda?

5. What is Ameren Missouri's variable cost of service to Noranda?
 - a. Should this quantification of variable cost be offset by an allowance for Off-System Sales Margin Revenue?
 - b. What revenue benefit or detriment does the Ameren Missouri system receive from provision of service to Noranda at a rate of \$30/MWh?
6. Should Noranda be served at rate materially different than Ameren Missouri's fully distributed cost to serve them? If so, at what rate?

List and Order of Witnesses:

Monday, June 16, 2014:

- 8:30 A.M. Preliminary Matters**
- 9:30 A.M. Opening Statements**
- 11:30 A.M. Testimony**

Complainants' Witnesses:

Kip Smith
Tom Harris
Henry Fayne
Joseph H. Haslag
James R. Dauphinais
Maurice Brubaker
Neil Priggel
Doug Libla
Emil Ramirez
Gary Romine
Glenna Shy
Jason Smith
Kent Hampton
Michelle Fayette
Shelley Keeny
Steve Hodges
Todd Richardson
A. Wayne Wallingford

Staff Witnesses:

Sarah Kliethermes
Michael S. Scheperle

OPC Witnesses:

Lena Mantle

Sam's East and Wal-Mart Stores East's Witnesses:

Steve W. Chriss

Continental Cement Company's Witnesses:

J. Scott Conroy

Ameren Missouri Witnesses:

William R. Davis
Robert S. Mudge
Terry Jarrett
Matt Michels

Tuesday, June 17, 2014:

8:30 A.M. Testimony, concluded

Order of Opening Statements:

Complainants (Noranda)
Missouri Industrial Energy Consumers (MIEC)
Staff of the Missouri Public Service Commission (Staff)
Office of the Public Counsel (OPC)
Missouri Retailers Association (MRA)
Consumers Council of Missouri (Consumers)
Cities of Ballwin and O'Fallon (Cities)
Sam's East, Inc., and Wal-Mart Stores East, LP (Sam's)
River Cement Company (River)
Continental Cement Company, L.L.C. (Continental)
Ameren Missouri (AmMo)

Order of Cross-Examination:

Noranda's Witnesses	Staff Witnesses	OPC Witnesses	Sam's Witnesses	Continental Witnesses	Ameren Witnesses
MIEC	Ameren	Ameren	Ameren	Ameren	Continental
MRA	Continental	Continental	Continental	Staff	Staff
Consumers	OPC	Staff	Staff	OPC	OPC
Cities	River	River	OPC	River	River
Sam's	Sam's	Sam's	River	Sam's	Sam's
River	Cities	Cities	Cities	Cities	Cities
OPC	Consumers	Consumers	Consumers	Consumers	Consumers
Staff	MRA	MRA	MRA	MRA	MRA
Continental	MIEC	MIEC	MIEC	MIEC	MIEC
Ameren	Noranda	Noranda	Noranda	Noranda	Noranda

WHEREFORE, Staff prays on behalf of all of the parties herein that the Commission will accept this List and Order of Witnesses, Order of Opening and Order of Cross.

Respectfully submitted,

/s/ Kevin A. Thompson

Kevin A. Thompson
 Missouri Bar Number 36288
 Chief Staff Counsel

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Attorneys for the Staff of the
 Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **4th day of June, 2014**, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

/s/ Kevin A. Thompson