

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

Noranda Aluminum, Inc., et al.)	
)	
Complainants,)	
v.)	Case No. EC-2014-0224
)	
Union Electric Company d/b/a Ameren)	
Missouri)	
)	
Respondent.)	

PUBLIC COUNSEL’S STATEMENT OF POSITIONS

COMES NOW the Missouri Office of the Public Counsel (“Public Counsel” or “OPC”) and for its Statement of Positions, offers the following positions on the issues identified by the parties in the List of Issues filed on June 4, 2014:

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?

No position, but OPC reserves the right to take a position as additional evidence is presented to the Commission.

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?

Yes, closure of the smelter represents a significant detriment to the economy of Southeast Missouri. The Office of the Public Counsel has not calculated the impact on local tax revenues and state tax revenues, and so, takes no position, but reserves the right to take a position as additional evidence is presented to the Commission.

b. If so, can the Commission lawfully grant the requested relief?

Yes.

c. If so, should the Commission grant the requested relief?

OPC continues to review the totality of the parties' evidence with respect to the rate requested.

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?

No position, but OPC reserves the right to take a position as additional evidence is presented to the Commission.

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?

No position, but OPC reserves the right to take a position as additional evidence is presented to the Commission.

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?

OPC continues to review the totality of the parties' evidence with respect to the rate requested.

a. If so, should Noranda be exempted from the FAC?

No.

b. If so, should Noranda's rate increases be capped in any manner?

No.

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?

Yes.

d. If so, should the resulting revenue deficiency be made up by other rate payers in whole or in part?

No.

e. If so, how should the amount of the resulting revenue deficiency be calculated?

No position, but OPC reserves the right to take a position as additional evidence is presented to the Commission.

f. If so, can the resulting revenue deficiency lawfully be allocated between ratepayers and Ameren Missouri's shareholders?

Yes.

i. How should the revenue deficiency allocated to other ratepayers be allocated on an interclass basis?

Any revenue requirement shift to other ratepayers should be equally applied to all classes, including the lighting class. This issue is addressed on pages 10-11 of the Surrebuttal Testimony of OPC witness Ms. Lena Mantle.

ii. How should the revenue deficiency allocated to other ratepayers be allocated on an intra-class basis?

If the Commission grants any relief, OPC recommends that for the Residential and SGS classes, the shift only apply to the volumetric (\$/kWh) charges on each rate. This issue is addressed on pages 9-10 of the Surrebuttal Testimony of OPC witness Ms. Lena Mantle.

For the LGS, SPS and LPS customers, the allocation should apply equally to the demand charge and the energy charge because changing the relationship between these

two rates could impact the cost effectiveness of energy-efficiency changes that customers currently participating in the program are making. This issue is addressed on page 10 of the Surrebuttal Testimony of OPC witness Ms. Lena Mantle.

g. If so, what, if any, conditions or commitments should the Commission require of Noranda?

OPC recommends that the Commission should, in determining whether to grant the relief Noranda has requested, consider Noranda's willingness to agree to certain commitments with effective mechanism for enforcement. These should include commitments regarding: (1) continued employment levels at the smelter; (2) guaranteed amounts of additional capital investments in the smelter; (3) capitalization strategies that preserve the smelter's ability to continue to operate; and (4) mechanisms to facilitate Noranda returning, over time, any discount provided to Noranda by Ameren Missouri's other ratepayers.

5. What is Ameren Missouri's variable cost of service to Noranda?

No position, but OPC reserves the right to take a position as additional evidence is presented to the Commission.

a. Should this quantification of variable cost be offset by an allowance for Off-System Sales Margin Revenue?

No position, but OPC reserves the right to take a position as additional evidence is presented to the Commission.

b. What revenue benefit or detriment does the Ameren Missouri system receive from provision of service to Noranda at a rate of \$30/MWh?

No position, but OPC reserves the right to take a position as additional evidence is presented to the Commission.

6. Should Noranda be served at rate materially different than Ameren Missouri's fully distributed cost to serve them? If so, at what rate?

No position, but OPC reserves the right to take a position as additional evidence is presented to the Commission.

WHEREFORE, the Office of the Public Counsel respectfully submits this Statement of Positions.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 6th day of June 2014:

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