

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

In the Matter of the Application of Union Electric)	
Company d/b/a Ameren Missouri for Permission and)	
Approval and a Certificate of Public Convenience and)	
Necessity Authorizing it to Construct, Install, Own,)	File No. EA-2012-0281
Operate, Maintain and Otherwise Control and Manage)	
A Utility Waste Landfill and Related Facilities at its)	
Labadie Energy Center)	

**INTERVENORS LABADIE ENVIRONMENTAL ORGANIZATION AND THE SIERRA
CLUB’S MOTION FOR LEAVE TO SUBMIT A DATA REQUEST**

Intervenors Labadie Environmental Organization (LEO) and Sierra Club (collectively, Intervenors) respectfully request leave to file a data request under 4 CSR 240-2.090. In support of this Motion, Intervenors state:

1. On September 13, 2013 Union Electric Company d/b/a Ameren Missouri (Ameren) filed the surrebuttal testimony of Lisa Bradley.
2. In her testimony, Dr. Bradley makes several references to data and reports on groundwater monitoring that is taking place near the proposed landfill site. Specifically, she references two groundwater reports and related data regarding the proposed Labadie landfill site on page 14 of her testimony, she discusses the reports and data in a September 9, 2013 memorandum to Ameren attached to her testimony as Schedule LJNB-S13, she presents some of the data apparently associated with the reports in tables included in that Schedule, and she lists the reports as references relied on in preparing the memorandum included in that Schedule.
3. The groundwater reports and data referenced and relied on in Dr. Bradley’s testimony were not provided with the testimony and, to our knowledge, are not publicly available.

4. The March 19, 2013 Order Adopting Procedural Schedule (Doc. 20, ¶2(L)) set August 9, 2013 as the deadline for submitting data requests. Since then, the procedural schedule has been modified twice but the data request deadline was not changed.

5. Because the documents requested by Intervenors are apparently in Ameren's possession and are of significance to its witness's statements and conclusions, it would be unfair to Intervenors not to provide copies of these documents in preparation for the evidentiary hearing. Any burden on Ameren to comply with the Data Request would be negligible, given that it already provided the documents to Dr. Bradley for her testimony.

Accordingly, Intervenors respectfully request that this Commission grant them leave to file the Data Request attached to this Motion as Exhibit 1.

Respectfully submitted,

/s/ Elizabeth Hubertz

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was sent via email on October 2, 2013, to all parties of record.

/s/ Elizabeth Hubertz

INTERVENORS' REQUEST NUMBER 3001
UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI
CASE NO.: EA-2012-0281

REQUESTED BY: Intervenors Labadie Environmental Organization and Sierra Club

REQUESTED FROM: Union Electric Company d/b/a Ameren Missouri

DATE OF REQUEST: **October __, 2013**

Information Requested:

Please provide a copy of all reports, data, and related documents, including but not limited to groundwater monitoring and analytical data and communication related thereto, referenced on page 14 and in Schedule LJNB-S13 of Dr. Lisa Bradley's Surrebuttal Testimony. This request includes:

- 1) The report titled, "Groundwater Monitoring Report – 1st Background Sampling Event – April 16-17, 2013" (May 2013), including all documents and data concerning groundwater monitoring associated with the 1st Background Sampling Event;
- 2) The report titled, "Groundwater Monitoring Report – 2nd Background Sampling Event – August 19-21, 2013" (September 2013), including all documents and data associated with the 2nd Background Sampling Event; and
- 3) All additional reports regarding Background Sampling associated with the proposed Labadie landfill.

The above listed documents do not comprise an exhaustive list, and any other groundwater data, documents, or reports that are responsive to Request Number 3001 are additionally requested.

The attached information provided to Intervenors the Labadie Environmental Organization and the Sierra Club ("Intervenors") in response to the above data information request is accurate and complete, and contains no material misrepresentations or omissions, based upon present facts of which the undersigned has knowledge, information or belief. The undersigned agrees to immediately inform the Intervenors if, during the pendency of Case No. EA-2012-0281 before the Commission, any matters are discovered which would materially affect the accuracy or completeness of the attached information.

As used in this data request the term "document(s)" includes publication of any format, workpapers, letters, memoranda, notes, reports, analyses, computer analyses, test results, studies or data, recordings, transcriptions and printed, typed or written materials of every kind in your possession, custody or control or within your knowledge.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was sent via email on October __, 2013, to all parties of record.
