

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In Re: Union Electric Company's
2008 Utility Resource Filing Pursuant to
4 CSR 240- Chapter 22

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Case No. EO-2007-0409


DISSENTING OPINION OF CHAIRMAN ROBERT M. CLAYTON III
AND COMMISSIONER KEVIN D. GUNN


These Commissioners dissent to the Final Order Regarding AmerenUE's 2008 Integrated Resource Plan (IRP). In that order, the majority makes numerous findings including the fact that AmerenUE's plan does not demonstrate compliance with the Commission's IRP rule. In spite of this finding, the majority refuses to move forward to evidentiary hearing to make a complete record of the deficiencies or order AmerenUE to correct those deficiencies. Instead the majority declines to even engage in any discussion of these issues until 2010.

In the coming years, AmerenUE must make significant decisions regarding demand-side planning and the potential construction of a Callaway 2 nuclear plant. The purpose of the IRP rule is to ensure the company carefully considers those decisions well in advance. AmerenUE should be planning for those decisions now, not waiting until it is time to file its next IRP in 2010. All of the parties in this case spent countless hours reviewing AmerenUE's IRP filing and, along with the majority, found that filing to be deficient. This deferral of compliance sends the wrong message to not only the parties interested in these issues in this case, but in all current and future IRP dockets. These Commissioners would require AmerenUE to correct the deficiencies in its 2008 IRP now, rather than allow the company until its next IRP filing to get it right.

For the foregoing reasons, these Commissioners respectfully dissent.

Respectfully submitted,


Robert M. Clayton III
Chairman


Kevin D. Gunn
Commissioner

Dated at Jefferson City, Missouri
On this 19th day of February, 2009.