

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 29th day  
of April, 2009.

Application of Union Electric Company d/b/a )  
AmerenUE for Approval of Decommissioning )  
Cost Estimate and Funding Level of Nuclear )  
Decommissioning Trust Fund )

**File No. EO-2009-0081**

**ORDER APPROVING STIPULATION AND AGREEMENT**

Issue Date April 29, 2009

Effective Date: May 9, 2009

This order approves the Unanimous Stipulation and Agreement between the Union Electric Company, d/b/a AmerenUE, Staff of the Commission and the Office of the Public Counsel regarding AmerenUE's funding for the decommissioning of its Callaway nuclear power plant.

Commission rule 4 CSR 240-3.185(3) states, in part, that:

On or before September 1, 1990, and every three years after that, utilities with decommissioning trust funds shall perform and file with the commission costs studies detailing the utilities' latest cost estimates for decommissioning their nuclear generating unit(s) along with the funding levels necessary to defray these decommissioning costs. These studies shall be filed along with appropriate tariff(s) effectuating the change in rates necessary to accomplish the funding required.

On September 2, 2008, AmerenUE filed an application requesting that the Missouri Public Service Commission approve its cost estimate and current funding level of \$6,486,378 of its nuclear decommissioning trust fund. Ameren also requests that the Commission specifically find that the annual funding level contributed to the

decommissioning trust fund is included in Ameren's current cost of service for rate-making purposes.

On April 23, 2009, the parties filed a Unanimous Stipulation and Agreement and requests that the Commission:

- Find that Ameren's retail jurisdiction annual decommissioning expense accrual and trust fund payments shall continue at the current level of \$6,486,378.
- Find, in order for the Callaway decommissioning fund to continue to utilize the sinking fund method of decommissioning funding, that the current decommissioning costs for Callaway are included in Ameren's current cost of service and are reflected in its current rates for ratemaking purposes.
- Recognize that Ameren's 2008 Cost Study meets the requirements of 4 CSR 240-3.185 (3).
- Grant Ameren variances from the filing requirements of rules 4 CSR 240-3.185 (1) and (2) to allow the filings required by those rules to be made as non-case related submissions under the EFIS category, Nuclear Plant Decommissioning Report for Union Electric Company d/b/a AmerenUE-Investor (Electric) and directing that Ameren file, on a prospective basis the quarterly reports required by 4 CSR 240-3.185 (1), the annual report required by 4 CSR 240.3.185 (2) and the quarterly Nuclear Decommissioning Trust Fund Performance Reports in the Commission's EFIS as non-case related submissions, commencing with the next filing due after the effective date of this order.
- Approve, pursuant to 4 CSR 240-20.070(4)(C), the use of a jurisdictional demand allocator of 98.38%.

The Commission has reviewed the Unanimous Stipulation and Agreement and will approve it. In doing so, the Commission finds that Ameren's retail jurisdictional annual decommissioning expense accruals and trust fund payments shall continue at the current level of \$6,486,378. The Commission further finds that the current decommissioning costs for Callaway are included in Ameren's current cost of service and are reflected in its current rates for ratemaking purposes. The Commission also recognizes that Ameren's Costs Study meets the requirements of 4 CSR 240-2.185(3).

**THE COMMISSION ORDERS THAT:**

1. The Unanimous Stipulation and Agreement filed by Union Electric Company, d/b/a AmerenUE, Staff of the Commission and the Office of the Public Counsel regarding AmerenUE's funding for the decommissioning of its Callaway nuclear power plant is approved.
2. The parties shall comply with the terms of the Unanimous Stipulation and Agreement.
3. Union Electric Company, d/b/a AmerenUE is granted a variance from the requirements of 4 CSR 240-3.185(1) and (2) to file reports as case related filing and instead shall file those reports as non-case related submissions.
4. The use of a jurisdictional demand allocator of 98.38% is approved.
5. This order shall become effective on May 9, 2009.
6. This case shall be closed on May 10, 2009.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Clayton, Chm., Murray, Davis,  
Jarrett, and Gunn, CC., concur.

Jones, Senior Regulatory Law Judge