

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 18<sup>th</sup> day of  
March, 2009.

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**

**ORDER MODIFYING FINAL ORDER REGARDING AMERENUE'S  
2008 INTEGRATED RESOURCE PLAN**

Issue Date: March 18, 2009

Effective Date: March 28, 2009

On February 19, 2009, the Commission issued a Final Order Regarding AmerenUE's 2008 Integrated Resource Plan (IRP). In that order, the Commission found that AmerenUE's 2008 IRP and resource acquisition strategy did not demonstrate compliance with the Commission's IRP rule. As a result, the Commission ordered AmerenUE to file its next IRP a year early, on April 1, 2010, instead of April 1, 2011.

AmerenUE filed a timely Application for Rehearing and Motion for Clarification on February 27, 2009. AmerenUE contends the new April 1, 2010 filing date would not allow the company enough time to properly prepare its next IRP. It asks that the filing deadline instead be set for November 1, 2010. In addition, AmerenUE asks the Commission to clarify its order to indicate that AmerenUE's next IRP may be developed using the Commission's IRP rule in its current form, rather than in compliance with any revised version of the rule the Commission may promulgate between now and the filing of its next IRP.

Public Counsel responded to AmerenUE's Application for Rehearing and Motion for Clarification on March 10, 2009. Public Counsel opposes AmerenUE's request to move the next IRP filing deadline to November 1, 2010, and supports leaving the deadline at April 1, 2010. If the Commission does decide to extend the deadline, Public Counsel urges the Commission to extend the deadline only to June 1, 2010.

No other party responded directly to AmerenUE's Application for Rehearing and Motion for Clarification. However, Noranda Aluminum, Inc., and the Commission's Staff replied to Public Counsel's response. Noranda does not oppose Public Counsel's proposed modification, but encourages the Commission to push AmerenUE to quickly assess whether a new base load plant is needed. Staff supports the filing date proposed by Public Counsel and supports AmerenUE's request that it be allowed to file its next IRP using the existing IRP rule.

The Commission established the April 1, 2010 deadline for AmerenUE to file its next IRP so that other interested parties would have sufficient time to review and respond to that filing before AmerenUE makes a decision about whether to proceed with plans to build a new base load unit, including a possible second nuclear reactor at the company's Callaway plant. In its Application for Rehearing, AmerenUE represents that it would not make a decision about building a new base load unit until at least October 1, 2011, eleven months after November 1, 2010.

Public Counsel is concerned that AmerenUE's next IRP filing may be hotly contested and could well take longer than the 13 months consumed by this case, before it is resolved. For that reason, Public Counsel urges the Commission to set the next filing deadline no later than June 1, 2010, which would allow 17 months for the Commission to resolve the

next IRP case before AmerenUE makes a decision on whether to build a new base load electric plant.

The Commission agrees it is vitally important for AmerenUE to complete a fully compliant IRP before it decides whether to build a new base load electric plant. So that the Commission will have sufficient time to ensure AmerenUE's next IRP complies with the IRP rule, the Commission will extend the filing deadline only to June 1, 2010.

Of course, the ultimate goal of the IRP process is to ensure that AmerenUE carefully considers all options to provide safe, reliable, and efficient electric service to the public at reasonable rates. By setting an expedited deadline for AmerenUE to complete its next IRP, the Commission does not wish to push the company into cutting corners that would result in a less than optimum IRP filing. If, as it proceeds with the IRP process, after consulting with the various stakeholders who will be involved in that process, AmerenUE believes it needs an extension of time to produce a high quality IRP filing, it may file an appropriate motion to request such an extension.

AmerenUE also asks the Commission to clarify its order to provide that AmerenUE's next IRP filing shall be developed using the current IRP rule rather than any revised IRP rule the Commission may choose to promulgate before the next filing deadline. Public Counsel does not object to AmerenUE's request.

The Commission finds that AmerenUE's request is reasonable. The company needs to know the rule provisions with which it must comply as it prepares its next IRP. Therefore, the Commission will clarify that AmerenUE shall develop its next IRP using the IRP rule in its current form.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Final Order Regarding AmerenUE's 2008 Integrated Resource Plan is modified to provide that Union Electric Company, d/b/a AmerenUE, shall file its next Integrated Resource Plan no later than June 1, 2010.
2. Union Electric Company, d/b/a AmerenUE, shall develop its next Integrated Resource Plan using the Commission's Integrated Resource Planning rule in its current form.
3. This order shall become effective on March 28, 2009.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

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

Woodruff, Deputy Chief Regulatory Law Judge