

**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,)
Operate, Maintain and Otherwise Control and)
Manage A Utility Waste Landfill and Related)
Facilities at its Labadie Energy Center.)

File No. EA-2012-0281

STAFF RESPONSE TO COMMISSION ORDER

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and responds to the Commission’s August 2, 2013, *Order Establishing Time to Respond to Motion to Strike Certain Exhibits and Motion to Modify the Procedural Schedule* as follows:

1. In its *Order Establishing Time to Respond to Motion to Strike Certain Exhibits and Motion to Modify the Procedural Schedule* the Commission ordered, “Any party wishing to respond to Union Electric Company, d/b/a Ameren Missouri’s Objections and Motion to Strike Certain Exhibits, and Motion for Leave to File Surrebuttal Testimony and to Reschedule the Evidentiary Hearing, as described in the body of this order, shall do so no later than August 7, 2013.”

2. In its Motion Union Electric Company proposes to reschedule the evidentiary hearing in this case to October 14-16, 2013. Staff has no objection to rescheduling the evidentiary hearing; however, Monday, October 14, 2013, is a state holiday—Columbus Day. Therefore, Staff objects to including Monday, October 14, 2013, as an evidentiary hearing date. Rescheduling the evidentiary hearing to October 15-17, 2013, would be acceptable to Staff.

3. Because the exhibits Union Electric Company object to were offered by individual members of the public who testified at the Commission's local public hearing held on June 25 and July 10, 2013, and the parties in this case have already prefiled the testimony of their witnesses, other than by taking additional evidence (prefiled or live), Staff does not see what process the Commission could employ to allow the parties an opportunity to supply additional foundation for those exhibits.

WHEREFORE, Staff objects to rescheduling the evidentiary hearing to include Columbus Day, Monday, October 14, 2013, as Union Electric Company proposes, but Staff does not object to the evidentiary hearing being rescheduled to October 15-17, 2013, and Staff suggests that, other than allowing additional testimony, Staff does not see how the Commission could allow parties an opportunity to supply additional foundation for the exhibits to which Union Electric Company objects be admitted into the record.

Respectfully submitted,

/s/ Nathan Williams

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or by electronic mail to all counsel of record on this 7th day of August, 2013.

/s/ Nathan Williams