

**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 Approval of)
Decommissioning Cost Estimate for Callaway)
Energy Center and Funding Level of Nuclear)
Decommissioning Trust Fund.)

File No. EO-2012-0070

STAFF’S TENTH STATUS REPORT

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the Missouri Public Service Commission’s (“Commission”) Staff Counsel Department, and notifies the Commission of the status of the stipulation and agreement between the Staff and Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) in the pending file as follows:

1. On June 22, 2012, the Staff filed its Ninth Status Report in which undersigned counsel advised the Commission that on June 8, 2012, the United States Court of Appeals for the District of Columbia Circuit (“D.C. Circuit”) issued a decision in *State of New York v. Nuclear Regulatory Comm’n*, No. 11-1045, 2012 WL 2053581 (D.C. Cir. 2012) that may have relevance to the Staff’s position on the sufficiency of Ameren Missouri’s decommissioning trust fund, since the decision involves the National Environmental Policy Act (“NEPA”), NEPA applies to the relicensing of nuclear generating units, and the Callaway nuclear generating unit license renewal application is pending before the Nuclear Regulatory Commission (“NRC”). As noted in the Staff’s last status report, the Staff’s willingness to enter into a stipulation and agreement at this time regarding the adequacy of the Callaway nuclear generating station decommissioning trust fund is based in part on the view that the Callaway nuclear generating unit will be relicensed in the near term and the extension of the Callaway operating license

from 2024 to 2044 has a salutary effect on the sufficiency of the funds in the Callaway decommissioning trust fund.

2. Undersigned Staff counsel related in the Staff's Ninth Status Report that Counsel for Ameren Missouri asked to meet with the Staff to provide Ameren Missouri's view of the effect of the *State of New York v. Nuclear Regulatory Comm'n* decision on the relicensing of the Callaway nuclear unit, and that an effort was being made to meet between June 27 and June 29, 2012. Ameren Missouri did meet with the Staff on June 28, 2012. Ameren Missouri related, among other things, that the information available to Ameren Missouri regarding *State of New York v. Nuclear Regulatory Comm'n* and from the NRC is that the projected date for a decision on relicensing, if there is no NRC hearing, is still December 2013.

3. Undersigned Staff counsel related in a prior status report to the Commission that the Staff and Ameren Missouri believed they had reached a resolution in principle respecting File No. EO-2012-0070. Only caution due to the June 8, 2012 *State of New York v. Nuclear Regulatory Comm'n* decision has prevented the Staff from likely having entered by this point into a stipulation and agreement with Ameren Missouri and having filed a Staff memorandum in support.

4. Having considered the matter of the *State of New York v. Nuclear Regulatory Comm'n* decision and the information imparted by Ameren Missouri representatives on June 28, 2012, the Staff has decided to proceed forward with a stipulation and agreement with Ameren Missouri and a Staff memorandum in support.

5. As a consequence, the Staff requests an additional two weeks to July 20, 2012 to file a stipulation and agreement and a staff memorandum in support.

WHEREFORE, the Staff submits the instant Staff status report and requests additional time to Friday, July 20, 2012 to file a stipulation and agreement with Ameren Missouri and a Staff memorandum.

Respectfully submitted,

/s/ Steven Dottheim
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing *Staff's Tenth Status Report* have been transmitted electronically to all counsel of record this 6th day of July, 2012.

/s/ Steven Dottheim