

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND

PROFESSIONAL CORPORATION

DAVID V.G. BRYDON (1937-2012)
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY (Retired)
PAUL A. BOUDREAU
CHARLES E. SMARR
DEAN L. COOPER

312 EAST CAPITOL AVENUE
P.O. BOX 456
JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7166
FACSIMILE (573) 635-0427

GREGORY C. MITCHELL
BRIAN T. MCCARTNEY
DIANA C. CARTER
SCOTT A. HAMBLIN
JAMIE J. COX
L. RUSSELL MITTEN
ERIN L. WISEMAN

June 10, 2015

FILED³

JUN 10 2015

Missouri Public
Service Commission

HAND DELIVERED

Mr. Morris Woodruff
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
Jefferson City, MO 65102

Re: Case No. ER-2014-0258, Notice of Appeal

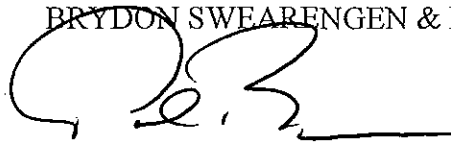
Dear Mr. Woodruff:

I enclose herewith an original and three (3) copies of a Notice of Appeal and a Civil Case Information Form filed with your office in accordance with §386.510, RSMo. I ask that you stamp one copy "filed" and return it to the person delivering this filing to you. I have also enclosed a check in the amount of \$70.00 payable to the Missouri Court of Appeals that represents the docket file required by Missouri Supreme Court Rule 81.04(d).

Thank you in advance for your assistance with this matter. If you have any questions regarding this filing, please feel free to give me a call.

BRYDON SWEARENGEN & ENGLAND P.C.

By:



Paul A. Boudreau

c: All Counsel of Record
Enclosures

2:51pm JT



Missouri Public Service Commission

FILED³

JUN 10 2015

Missouri Public Service Commission

(Date File Stamp)

Judge or Division: Regulatory Law Judge Morris Woodruff	Appellate Number:
Appellant: Missouri Energy Development Association	Missouri Public Service Commission File Number:
vs.	Case No. ER-2014-0258
Respondent: Public Service Commission of Missouri	

Notice of Appeal

Notice is given that Missouri Energy Development Association appeals to the Missouri Court of Appeals Western Eastern Southern District.

Date Notice of Appeal Filed 6/10/15
(to be filled in by Secretary of Commission)

Signature of Attorney or Appellant

The notice of appeal shall include the appellant's application for rehearing, a copy of the reconciliation required by subsection 4 of section 386.420, a concise statement of the issues being appealed, a full and complete list of the parties to the commission proceeding, and any other information specified by the rules of the court. The appellant(s) must file the original and (2) two copies and pay the docket fee required by court rule to the Secretary of the Commission within the time specified by law. **Please make checks or money orders payable to the Missouri Court of Appeals.** At the same time, Appellant must serve a copy of the Notice of Appeal on attorneys of record of all parties other than appellant(s), and on all parties not represented by an attorney.

CASE INFORMATION

Appellant Name / Bar Number: Paul A. Boudreau Mo Bar No. 33155	Respondent's Attorney / Bar Number: Shelley Brueggemann Mo Bar No. 52173
Address: Brydon, Swaengen & England, P.C. 312 E. Capitol Ave., P.O. Box 456 Jefferson City, MO 65102	Address: Missouri Public Service Commission P.O Box 360 Jefferson City, MO 65102
Telephone: (573) 635-7166	Fax: (573) 635-0427
Telephone: (573) 526-7393	Fax: (573) 751-9285
Date of Commission Decision: April 29, 2015	Date of Application for Rehearing Filed: May 11, 2015
Date Application for Rehearing Ruled On: June 2, 2015	

DIRECTIONS TO COMMISSION

A copy of the notice of appeal and the docket fee shall be mailed to the clerk of the appellate court. Unless otherwise ordered by the court of appeals, the commission shall, within thirty days of the filing of the notice of appeal, certify its record in the case to the court of appeals.

Certificate of Service

I certify that on June 10, 2015 (date), I served a copy of the notice of appeal on the following parties, at the following address(es), by the method of service indicated.

See attached Civil Case Information Form

Appellant or Attorney for Appellant

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Union Electric Company d/b/a)
Ameren Missouri’s Tariffs to Increase)
Its Annual Revenues for Electric Service.) File No. ER-2014-0258

**APPLICATION FOR REHEARING
OF THE MISSOURI ENERGY DEVELOPMENT ASSOCIATION**

Comes now the Missouri Energy Development Association (“MEDA”) and pursuant to §386.500 RSMo. (2000) respectfully submits its Application for Rehearing of the Report and Order issued by the Commission in the above-referenced case on April 29, 2015 (hereinafter “Order”). In support thereof, MEDA states as follows:

APPLICATION FOR REHEARING

1. MEDA is a trade association comprised of the largest investor-owned public utilities doing business in the State of Missouri. MEDA’s members serve a combined total of over 3.8 million customers in Missouri and employ more than 11,500 people. MEDA’s member companies all are regulated by the Missouri Public Service Commission (“PSC”) as to rates and terms and conditions of service. MEDA itself is a customer of Ameren Missouri and, like a number of its members, is adversely affected by the Commission’s Order in this case as discussed below.¹

2. At pages 117 to 138 of its Order, the Commission determined that the rates paid by Noranda Aluminum (“Noranda”) should be reduced to \$36 per MWh and that Noranda’s

¹ This Application for Rehearing is filed on behalf of the following member companies: Ameren Missouri, The Empire District Electric Company, Kansas City Power & Light Company, The Laclede Group, and Summit Natural Gas.

exposure to increases in Ameren Missouri's ("Ameren") Fuel Adjustment Clause ("FAC") should be limited to \$2 per MWh. The effect of this decision is to shift at least \$26 million in cost responsibility to other customers of Ameren, including MEDA, and perhaps significantly more depending on any increases that may occur in Ameren's FAC over the next three years. These are all costs that would have otherwise been allocated to, and paid by, Noranda if its rates had been based on the actual costs of serving Noranda. In fact, as the Commission acknowledged in its Order, *every* cost of service study entered into evidence in this proceeding found that Noranda's rates were already below the cost of serving it. *Order*, pp. 71-72. Accordingly, it is undisputed on the record that the cost shift and additional rate reduction mandated by the Commission results in a pure and direct subsidy of Noranda's electricity costs by other customers.

3. The Commission's decision to effectuate this subsidy at the expense of other customers of Ameren is unjust, unreasonable, unlawful, arbitrary and capricious for the reasons discussed below.

4. The Commission's Order is unlawful and unreasonable because the Commission has exceeded the scope of its statutory powers by mandating a rate shift that is premised almost entirely on speculations regarding a particular customer's present and future financial condition. Such considerations, whether speculative or not, do not provide a reasonable or lawful basis for determining how rates should be allocated among a utility's customers and that such a subsidy therefore constitutes the kind of undue preference in setting rates that is prohibited by law. §393.130.3 RSMo (Cum. Supp. 2013), *State ex rel. The Laundry, Inc. et al. v. Pub. Serv. Comm'n*, 34 S.W.2d 37, 44-45 (Mo. 1931), citing *Civic League of St. Louis et al v. City of St. Louis*, 4 Mo. P.S.C. 412.1.

5. Because MEDA anticipates that other applicants for rehearing will address this issue in greater detail, MEDA will attempt to be brief in why it believes the Commission erred in approving this subsidy. In its Order, the Commission states that the purpose of the subsidy is to safeguard other customers from having to pay more for electricity should Noranda close its doors and cease taking service from Ameren, rather than to provide a large financial incentive to one specific business so that it will continue to operate and provide a certain level of jobs.² Notably, the Commission itself only a little over 8 months ago recognized that providing a subsidy for this latter purpose is a policy determination that should be made by the Missouri General Assembly, and not the Commission.³ MEDA respectfully submits that the rationale given by the Commission to support the subsidy cannot be reconciled with the evidentiary record in this case or with its recent holdings in Case No. EC-2014-0224.

6. First, in terms of whether the subsidy for Noranda is reasonably designed to protect other customers from the financial consequences of losing Noranda's load, MEDA believes it is helpful to view the subsidy as a ratepayer-funded insurance policy against the financial losses resulting from such an occurrence. Viewed that way, other customers are paying an insurance premium of approximately \$26 million per year⁴ (and perhaps more if fuel costs rise) and are receiving only \$18 to \$32 million in financial protection, in excess of the premium

² The Commission's finding that without the special rate Noranda is in imminent danger or closing is contrary to the record evidence in a number of respects. Despite the fact that Noranda's electric rate is the second highest among all domestic aluminum smelters, there is uncontroverted evidence that its total costs - both under Ameren's current rates as well as under the full increase Ameren sought in its rate case - are the lowest of all domestic smelters. Since total costs, and not just energy costs, are what determine whether an enterprise will be profitable, the evidence does not support the finding of imminent closure.

³ See, the Commission's Report and Order, File No. EC-2014-0224, p. 28, in which the Commission stated with regard to a similar proposal to provide a significant subsidy to Noranda: "Finally, and importantly, a request for an economic development subsidy of this magnitude is more properly directed to the Missouri General Assembly."

⁴ Noranda's total rate, including the FAC, is \$42.35/MWh. Order p. 119. Subtract from this \$36/MWh which is the base rate ordered for the new IAS rate class. Order p. 134. The annual impact is a function of the difference (\$6.35/MWh) multiplied by \$4.2 million which the Commission determined to be the change in pre-tax cash flow to Noranda for every change in the MWh rate. Order p. 119.

amount, should Noranda cease making a contribution to Ameren's fixed costs according to the Commission's own calculations.⁵ Order, p. 132. Few would purchase an insurance policy where the premium is so large relative to the level of financial protection being provided from potential losses.⁶

7. Second, the Order does not impose the kind of symmetrical terms and conditions that one would expect to see if the primary purpose of the subsidy was to protect other customers from the loss of fixed cost contributions.⁷ For example, Noranda's exposure to rising fuel costs is capped at \$2 per MWh, presumably to ensure that the overall rate charged to Noranda permits it to remain competitive. Even though this exposes other customers to Noranda's share of any fuel costs that escalate above the cap, there is no corresponding provision to offset the subsidy paid by customers in the event fuel costs decline below the \$2, even though such reduced charges would then be lower than what the Commission determined was necessary to make Noranda competitive.

⁵There is a significant amount of evidence on the record regarding whether the risk being insured against – namely a possible closure by Noranda – is a real one. MEDA believes that one of the most probative pieces of evidence on this score is that the party which would suffer the most significant and direct financial harm from such an event – namely Ameren – does not believe the risk is great enough to warrant the subsidy/insurance being mandated by the Commission.

⁶Assuming that it would take approximately a year for rates to be reset to reflect the loss of Noranda's load, the Commission's Order would effectively require other customers to pay more than \$78 million over the next three years for load loss protection that would have a cumulative value to them of no more than \$36 million (using Staff's wholesale price estimate) to \$64 million (using Noranda's wholesale price estimate). Moreover, the amounts paid by customers would, as previously noted, be even greater if Ameren's fuel costs escalate above current levels. Notably, the Commission fails to include any findings of fact in its Order sufficient to explain exactly how it factored in the actual risk of loss in calculating the amount that other customers should pay in subsidies to prevent that loss.

⁷By imposing conditions on Noranda that seek to regulate critical elements of its business operations such as how many jobs it must provide, what level of capital investments it must make, and what dividends it can pay to shareholders, the Commission has already strayed in its Order well beyond the limits of its statutory authority to regulate *public utilities*. Assuming, *arguendo*, however, that the act of granting and then threat of withdrawing a subsidy confers such powers on the Commission, then the Commission surely has a commensurate responsibility to exercise it in a way that fully and comprehensively protects the interests of those who are providing the subsidy. As discussed herein, the Commission's Order fails in that regard.

8. The same thing is true of the Commission's failure to impose any conditions that would offset the subsidy should there be a material change in any of the other assumptions made by the Commission in devising Noranda's rate. As a consequence, should Noranda's liquidity, the aluminum markets, or Noranda's competitive position in those markets, turn out to be more favorable than what was assumed by the Commission in calculating the subsidy, it is Noranda rather than other customers that will reap the benefit. Also absent are any safeguards requiring Noranda to return the subsidy to other customers for any period that it failed to comply with the conditions.

9. Another reason why the \$26 million subsidy is unreasonable is that it is not likely to protect customers from load loss, but instead to protect Apollo from business loss. If, as the Commission recites in the Order, Noranda's problems were caused or significantly exacerbated by Apollo's act of saddling Noranda with debt in order to pay itself a special dividend, then Noranda may ultimately fail. Order, p. 132. However, a relatively stable business that is made unstable by artificial debt is a classic candidate for a reorganization in bankruptcy. In such a proceeding, debt may be reorganized, or Noranda may be sold to new owners who see greater opportunities arising from better stewardship. In such event, Noranda will not close, nor will load be lost, nor will jobs be lost. The only party leaving the scene may be the same party who put themselves first and put Noranda and its employees last. Viewed from this business perspective, a \$26 million annual subsidy that benefits only the current owners and rewards their financially reckless behavior is clearly unreasonable.

10. Finally, if the primary purpose of the subsidy is to protect other customers rather than effectuate a legislative-like jobs incentive program, then there would seem to be no reason for the Order to explicitly condition Noranda's access to the subsidy on it continuing to employ

at least 850 full-time equivalent employees at its New Madrid plant. *See*, Condition #11, Order, pp. 11-12. Certainly, such a condition is not required to protect other customers from a potential loss of Noranda's load. In fact, it may even be counter-productive to that goal in that it burdens Noranda's operations with a specific level of payroll expense that may actually compromise, rather than promote, its ability to stay in business and thereby continue to contribute to Ameren's fixed costs.

11. MEDA understands the Commission's desire to preserve jobs and does not dispute that encouraging job creation is an appropriate governmental function. However, as the Commission itself has previously recognized it is a function that should be undertaken by the General Assembly, and not the ratepayers of a single utility, where direct subsidies of this magnitude are necessary to achieve that goal.⁸

CONCLUSION

For the reasons stated herein, the Missouri Energy Development Association respectfully requests that the Commission grant rehearing and upon rehearing issue an order that reverses the unlawful and unreasonable subsidy granted Noranda in this case.

⁸The Commission emphasizes in its Order how important Noranda is to the economic health and vibrancy of the State of Missouri and the Southeast Region of Missouri. (See Order page 119). Assuming this is true, it only underscores why the provision of subsidies, special credits or other forms of financial assistance to Noranda should be done through measures passed by the General Assembly rather than through rates established by the Commission. Ameren's ratepayers, the vast majority of whom are located in other regions of the state, are being forced to take on a disproportionate burden for sustaining Noranda in the State just because the utility they take service from also happens to be one of Noranda's suppliers. There is simply no principle of economics or equity that justifies such a result.

Respectfully submitted,

By: /s/ Paul A. Boudreau

Paul A. Boudreau - #33155

BRYDON, SWEARENGEN & ENGLAND P.C.

312 E. Capital Avenue

P.O. Box 456

Jefferson City, MO 65102-0456

Telephone: (573) 635-7166

Facsimile: (573) 635-0427

paulb@brydonlaw.com

ATTORNEY FOR MISSOURI ENERGY

DEVELOPMENT ASSOCIATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent via electronic mail on this 11th day of May, 2015, to all parties of record in Case No. ER-2014-0258.

/s/ Paul A. Boudreau

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Tariff Filings of Union)
Electric Company d/b/a Ameren Missouri, to) Case No. ER-2014-0258
Increase Its Revenues for Retail Electric Service.)

REVISED MOTION TO APPROVE RECONCILIATION

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or the “Company”), by and through counsel and, pursuant to Section 386.420.4, RSMo. (Cum. Supp. 2013), hereby files this *Revised Motion to Approve Reconciliation*. In support thereof, Ameren Missouri states as follows:

1. On April 29, 2015, the Commission issued its *Report and Order* in this proceeding, and on May 1, 2015 the Commission issued its *Notice of Updated Calculation of Financial Effect of Report and Order* which authorizes Ameren Missouri to increase rates to permit it to collect an additional amount of approximately \$121.54 million annually from its Missouri electric customers.

2. Pursuant to certain provisions of Section 386.420.4 RSMo, the Commission is required as part of a rate case such as this one to approve a reconciliation “sufficient to permit a reviewing court and the commission on remand from a reviewing court to determine how the public utility’s rates and charges, including the rates and charges for each customer class, would need to be temporarily and, if applicable, permanently adjusted to provide customers or the public utility with any monetary relief that may be due....” The Commission is required to afford the parties to the case a reasonable opportunity to provide written input prior to approving the reconciliation.

3. On May 21, 2015 Ameren Missouri filed its original *Motion to Approve Reconciliation* and included a reconciliation, which was attached to the original motion as

Exhibit A thereto. On that same date the Commission issued an order directing its Staff to respond by June 1, 2015, and setting a deadline of June 1, 2015 for any responses that any other party might desire to file.

4. Since its May 21 filing, the Company has been in communication with the Staff and as a result of those communications some minor errors were identified in the reconciliation filed on May 21. Those errors have been corrected, were shared with the Staff and the Staff has confirmed that it is in agreement with the corrected reconciliation.

5. Attached hereto as Exhibit A – Revised is the corrected reconciliation in satisfaction of the requirements of Section 386.420.4 RSMo. The attached corrected reconciliation was prepared in the same manner (and contains the same (but updated) information) as were the reconciliations approved by the Commission in Ameren Missouri's last two electric rate cases, Case Nos. ER-2011-0028 and ER-2012-0166.

WHEREFORE, Ameren Missouri respectfully requests that after providing the other parties a reasonable opportunity to provide input, the Commission approve this corrected reconciliation.

Respectfully submitted:

/s/ James B. Lowery
James B. Lowery, Mo. Bar #40503
SMITH LEWIS, LLP
P.O. Box 918
Columbia, MO 65205-0918
(T) 573-443-3141
(F) 573-442-6686
lowery@smithlewis.com

Wendy K. Tatro, Bar #60261
Dir. and Asst. General Counsel
Union Electric Company
d/b/a Ameren Missouri
P.O. Box 66149 (MC 1310)
1901 Chouteau Avenue
St. Louis, MO 63166-6149
(T) 314-554-3484
(F) 314-554-4014
AmerenMOService@ameren.com

Attorneys for Union Electric Company d/b/a Ameren Missouri

Dated: May 28, 2015

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all parties of record via electronic mail (e-mail) on this 28th day of May, 2015.

/s/James B. Lowery
James B. Lowery

Ameren Missouri
 MPSC File No. ER-2014-0258
 Reconciliation Of Issues Decided by the Commission
 Revenue Requirement Impact

	<u>Revenue Requirement</u>	<u>Change In Revenue Requirement</u>
<u>ROE</u>		
9.53% Per Order	121,544,750	
9.25% Per Staff	105,106,117	(16,438,633)
9.30% Per MIEC	108,053,724	(13,491,026)
9.01% Per OPC	91,048,384	(30,496,366)
10.4% Per Company	172,675,604	51,130,854
<u>Energy Efficiency Regulatory Asset & Amortization</u>		
MIEC	120,576,856	(967,894)
<u>Income Tax NOLC & ADIT</u>		
Staff/MIEC	116,117,064	(5,427,686)
<u>Noranda Load</u>		
Company	122,177,309	632,559
<u>Vegetation Management Expense</u>		
MIEC	121,039,481	(505,269)
OPC	120,152,922	(1,391,828)
Company	123,090,343	1,545,593
<u>Infrastructure Inspection Expense</u>		
MIEC	121,195,254	(349,496)
Staff	121,222,554	(322,196)
Company	121,791,420	246,670
<u>Vegetation Management/Infrastructure Inspection Amortization</u>		
MIEC	120,776,890	(767,860)
OPC	121,774,878	230,128
<u>Lost Fixed Cost AAO Amortization</u>		
Company	128,657,050	7,112,300
<u>Solar Rebate Amortization</u>		
MIEC	89,229,261	(32,315,489)
<u>Fukushima Study Cost Amortization</u>		
MIEC	121,452,093	(92,657)
<u>Income Tax Current- IRC Section 199 Deduction</u>		
Staff/MIEC	117,461,324	(4,083,426)
<u>Labadie ESPs</u>		
Sierra Club	98,198,012	(23,346,738)
<u>Union Issues - Workforce Needs</u>		
IBEW Local 1439	132,658,055	11,113,305

Ameren Missouri (ER-2014-0258)

ROE

ROE 9.25% per MPSC Staff

Value: (\$16,438,633)

	Impact	
	Amount	Percent
Residential	(\$7,901,225)	-0.61%
Small General Service	(\$1,928,983)	-0.61%
Large General Service	(\$3,625,400)	-0.61%
Small Primary Service	(\$1,429,373)	-0.61%
Large Primary Service	(\$1,303,883)	-0.61%
Large Transmission Service	\$0	0.00%
Lighting	(\$249,297)	-0.61%
MSD	(\$472)	-0.61%
Total	(\$16,438,633)	-0.58%

ROE

ROE 9.30% per MIEC

Value: (\$13,491,026)

	Impact	
	Amount	Percent
Residential	(\$6,484,458)	-0.50%
Small General Service	(\$1,583,098)	-0.50%
Large General Service	(\$2,975,330)	-0.50%
Small Primary Service	(\$1,173,073)	-0.50%
Large Primary Service	(\$1,070,084)	-0.50%
Large Transmission Service	\$0	0.00%
Lighting	(\$204,596)	-0.50%
MSD	(\$388)	-0.50%
Total	(\$13,491,026)	-0.47%

ROE

ROE 9.01% per OPC

Value: (\$30,496,366)

	Impact	
	Amount	Percent
Residential	(\$14,658,071)	-1.13%
Small General Service	(\$3,578,581)	-1.14%
Large General Service	(\$6,725,712)	-1.13%
Small Primary Service	(\$2,651,722)	-1.13%
Large Primary Service	(\$2,418,916)	-1.14%
Large Transmission Service	\$0	0.00%
Lighting	(\$462,488)	-1.14%
MSD	(\$876)	-1.14%
Total	(\$30,496,366)	-1.07%

ROE

ROE 10.40% per Company

Value: \$51,130,854

	Impact	
	Amount	Percent
Residential	\$24,576,033	1.90%
Small General Service	\$5,999,924	1.91%
Large General Service	\$11,276,472	1.90%
Small Primary Service	\$4,445,933	1.89%
Large Primary Service	\$4,055,606	1.91%
Large Transmission Service	\$0	0.00%
Lighting	\$775,417	1.91%
MSD	\$1,469	1.91%
Total	\$51,130,854	1.80%

Energy Efficiency Regulatory Asset and Amort.

MIEC

Value: (\$967,894)

	Impact	
	Amount	Percent
Residential	(\$465,218)	-0.04%
Small General Service	(\$113,577)	-0.04%
Large General Service	(\$213,461)	-0.04%
Small Primary Service	(\$84,160)	-0.04%
Large Primary Service	(\$76,772)	-0.04%
Large Transmission Service	\$0	0.00%
Lighting	(\$14,678)	-0.04%
MSD	(\$28)	-0.04%
Total	(\$967,894)	-0.03%

Income Tax NOLC & ADIT

Staff/MIEC

Value: (\$5,427,686)

	Impact	
	Amount	Percent
Residential	(\$2,608,816)	-0.20%
Small General Service	(\$636,909)	-0.20%
Large General Service	(\$1,197,030)	-0.20%
Small Primary Service	(\$471,949)	-0.20%
Large Primary Service	(\$430,514)	-0.20%
Large Transmission Service	\$0	0.00%
Lighting	(\$82,313)	-0.20%
MSD	(\$156)	-0.20%
Total	(\$5,427,686)	-0.19%

Noranda Load
 Company
 Value: \$632,559

	Impact	
	Amount	Percent
Residential	\$304,039	0.02%
Small General Service	\$74,227	0.02%
Large General Service	\$139,505	0.02%
Small Primary Service	\$55,002	0.02%
Large Primary Service	\$50,173	0.02%
Large Transmission Service	\$0	0.00%
Lighting	\$9,593	0.02%
MSD	\$18	0.02%
Total	\$632,559	0.02%

Vegetation Management Expense
 MIEC
 Value: (\$505,269)

	Impact	
	Amount	Percent
Residential	(\$242,857)	-0.02%
Small General Service	(\$59,291)	-0.02%
Large General Service	(\$111,433)	-0.02%
Small Primary Service	(\$43,934)	-0.02%
Large Primary Service	(\$40,077)	-0.02%
Large Transmission Service	\$0	0.00%
Lighting	(\$7,663)	-0.02%
MSD	(\$15)	-0.02%
Total	(\$505,269)	-0.02%

Vegetation Management Expense

OPC

Value: (\$1,391,828)

	Impact	
	Amount	Percent
Residential	(\$668,982)	-0.05%
Small General Service	(\$163,323)	-0.05%
Large General Service	(\$306,956)	-0.05%
Small Primary Service	(\$121,022)	-0.05%
Large Primary Service	(\$110,397)	-0.05%
Large Transmission Service	\$0	0.00%
Lighting	(\$21,108)	-0.05%
MSD	(\$40)	-0.05%
Total	(\$1,391,828)	-0.05%

Vegetation Management Expense

Company

Value: \$1,545,593

	Impact	
	Amount	Percent
Residential	\$742,889	0.06%
Small General Service	\$181,367	0.06%
Large General Service	\$340,867	0.06%
Small Primary Service	\$134,393	0.06%
Large Primary Service	\$122,594	0.06%
Large Transmission Service	\$0	0.00%
Lighting	\$23,439	0.06%
MSD	\$44	0.06%
Total	\$1,545,593	0.05%

Infrastructure Inspection Expense

MIEC

Value: (\$349,496)

	Impact	
	Amount	Percent
Residential	(\$167,985)	-0.01%
Small General Service	(\$41,011)	-0.01%
Large General Service	(\$77,078)	-0.01%
Small Primary Service	(\$30,389)	-0.01%
Large Primary Service	(\$27,721)	-0.01%
Large Transmission Service	\$0	0.00%
Lighting	(\$5,300)	-0.01%
MSD	(\$10)	-0.01%
Total	(\$349,496)	-0.01%

Infrastructure Inspection Expense

MIEC

Value: (\$322,196)

	Impact	
	Amount	Percent
Residential	(\$154,863)	-0.012%
Small General Service	(\$37,808)	-0.012%
Large General Service	(\$71,058)	-0.012%
Small Primary Service	(\$28,016)	-0.012%
Large Primary Service	(\$25,556)	-0.012%
Large Transmission Service	\$0	0.000%
Lighting	(\$4,886)	-0.012%
MSD	(\$9)	-0.012%
Total	(\$322,196)	-0.011%

Infrastructure Inspection Expense

Company

Value: \$246,670

	Impact	
	Amount	Percent
Residential	\$118,562	0.01%
Small General Service	\$28,945	0.01%
Large General Service	\$54,401	0.01%
Small Primary Service	\$21,448	0.01%
Large Primary Service	\$19,565	0.01%
Large Transmission Service	\$0	0.00%
Lighting	\$3,741	0.01%
MSD	\$7	0.01%
Total	\$246,670	0.01%

Vegetation Management/Infrastructure Inspection Amortization

MIEC

Value: (\$767,860)

	Impact	
	Amount	Percent
Residential	(\$369,072)	-0.03%
Small General Service	(\$90,104)	-0.03%
Large General Service	(\$169,345)	-0.03%
Small Primary Service	(\$66,767)	-0.03%
Large Primary Service	(\$60,905)	-0.03%
Large Transmission Service	\$0	0.00%
Lighting	(\$11,645)	-0.03%
MSD	(\$22)	-0.03%
Total	(\$767,860)	-0.03%

Vegetation Management/Infrastructure Inspection Amortization

OPC

Value: \$230,128

	Impact	
	Amount	Percent
Residential	\$110,611	0.01%
Small General Service	\$27,004	0.01%
Large General Service	\$50,753	0.01%
Small Primary Service	\$20,010	0.01%
Large Primary Service	\$18,253	0.01%
Large Transmission Service	\$0	0.00%
Lighting	\$3,490	0.01%
MSD	\$7	0.01%
Total	\$230,128	0.01%

Lost Fixed Cost AAO Amortization

Company

Value: \$7,112,300

	Impact	
	Amount	Percent
Residential	\$3,418,525	0.26%
Small General Service	\$834,589	0.27%
Large General Service	\$1,568,557	0.26%
Small Primary Service	\$618,429	0.26%
Large Primary Service	\$564,135	0.27%
Large Transmission Service	\$0	0.00%
Lighting	\$107,860	0.27%
MSD	\$204	0.27%
Total	\$7,112,300	0.25%

Solar Rebate Amortization**MIEC****Value: (\$32,315,489)**

	Impact	
	Amount	Percent
Residential	(\$15,532,432)	-1.20%
Small General Service	(\$3,792,045)	-1.20%
Large General Service	(\$7,126,904)	-1.20%
Small Primary Service	(\$2,809,898)	-1.20%
Large Primary Service	(\$2,563,206)	-1.21%
Large Transmission Service	\$0	0.00%
Lighting	(\$490,075)	-1.21%
MSD	(\$928)	-1.21%
Total	(\$32,315,489)	-1.14%

Fukushima Study Cost Amortization**MIEC****Value: (\$92,657)**

	Impact	
	Amount	Percent
Residential	(\$44,536)	0.00%
Small General Service	(\$10,873)	0.00%
Large General Service	(\$20,435)	0.00%
Small Primary Service	(\$8,057)	0.00%
Large Primary Service	(\$7,349)	0.00%
Large Transmission Service	\$0	0.00%
Lighting	(\$1,405)	0.00%
MSD	(\$3)	0.00%
Total	(\$92,657)	0.00%

Income Tax Current-IRC Section 199 Deduction

Staff/MIEC

Value: (\$4,083,426)

	Impact	
	Amount	Percent
Residential	(\$1,962,698)	-0.15%
Small General Service	(\$479,168)	-0.15%
Large General Service	(\$900,565)	-0.15%
Small Primary Service	(\$355,062)	-0.15%
Large Primary Service	(\$323,890)	-0.15%
Large Transmission Service	\$0	0.00%
Lighting	(\$61,927)	-0.15%
MSD	(\$117)	-0.15%
Total	(\$4,083,426)	-0.14%

Labadie ESPs

Sierra Club

Value: (\$23,346,738)

	Impact	
	Amount	Percent
Residential	(\$11,221,604)	-0.87%
Small General Service	(\$2,739,611)	-0.87%
Large General Service	(\$5,148,923)	-0.87%
Small Primary Service	(\$2,030,047)	-0.86%
Large Primary Service	(\$1,851,821)	-0.87%
Large Transmission Service	\$0	0.00%
Lighting	(\$354,061)	-0.87%
MSD	(\$671)	-0.87%
Total	(\$23,346,738)	-0.82%

Union Issues-Workforce Needs

IBEW Local 1439

Value: \$11,113,305

	Impact	
	Amount	Percent
Residential	\$5,341,607	0.41%
Small General Service	\$1,304,085	0.41%
Large General Service	\$2,450,944	0.41%
Small Primary Service	\$966,325	0.41%
Large Primary Service	\$881,487	0.41%
Large Transmission Service	\$0	0.00%
Lighting	\$168,537	0.42%
MSD	\$319	0.42%
Total	\$11,113,305	0.39%

Amoron Missouri
Case ER-2014-0258

	Revenue	Current Pro-MEEIA	Base Revenue	Revenue Shift	Adjusted Rev	Pro-MEEIA	Increase	Increased Rev	LTS Discount	Target Revenue	Percent Increase
Residential	\$1,227,216,898	\$11,570,545	\$1,215,646,353	\$6,078,232	\$1,221,724,585	(\$1,371,890)	\$56,068,594	\$1,287,991,834	\$7,824,074	\$1,295,815,909	5.59%
Small General Service	\$301,316,805	\$1,149,882	\$300,166,923	-\$1,898,490	\$298,268,433	(\$145,240)	\$13,688,430	\$312,961,505	\$1,910,148	\$314,871,653	4.50%
Large General Service	\$568,939,338	\$4,794,903	\$564,144,435	-\$3,568,089	\$560,576,346	(\$491,568)	\$25,726,525	\$590,606,206	\$3,590,000	\$594,196,206	4.44%
Small Primary Service	\$224,819,544	\$2,396,378	\$222,423,166	-\$1,406,777	\$221,016,389	(\$255,496)	\$10,143,103	\$233,300,374	\$1,415,416	\$234,715,790	4.40%
Large Primary Service	\$202,231,544	\$619,097	\$201,612,447	\$0	\$201,612,447	(\$177,337)	\$8,252,598	\$211,306,805	\$1,291,151	\$212,597,956	5.13%
Large Transmission Service	\$159,024,866	\$0	\$159,024,866	\$795,124	\$159,819,990	\$0	\$7,334,617	\$167,154,607	\$0	\$0	0.00%
Industrial Aluminum Smelter Service		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$150,876,488	-5.12%
Lighting	\$38,547,547	\$0	\$38,547,547	\$0	\$38,547,547	\$0	\$1,769,082	\$40,316,609	\$246,863	\$40,563,472	5.23%
MSD	\$73,018	\$0	\$73,018	\$0	\$73,018	\$0	\$3,351	\$76,369	\$468	\$76,836	5.23%
Total	\$2,722,169,560	\$20,530,805	\$2,701,638,755	\$0	\$2,701,638,755	(\$2,441,530)	\$123,986,280	\$2,843,714,310	\$16,278,119	\$2,843,714,310	4.46%

Total Increase \$121,544,750

Residential Class	
	Billing Units
Customer Charge	
Summer Bills	4,172,016
Winter Bills	8,344,032
TOD Bills	408
Low income Surcharge	12,516,456
Total Bills	12,516,456
Energy Charge	
Summer kWh	4,565,669,206
On-peak	38,378
Off-peak	174,833
Energy Eff Charge	4,565,876,802
Winter kWh	
First 750 kWh	4,765,021,199
Over 750 kWh	3,937,120,085
On-peak	0
Off-peak	0
Energy Eff Charge	8,702,132,857
Total kWh	13,268,023,700

Small General Service Class	
	Billing Units
Customer Charge	
Summer Bills	
One-phase	366,244
Three-phase	151,016
Winter Bills	
One-phase	732,488
Three-phase	302,032
TOD Bills	
One-phase	7,092
Three-phase	1,452
6M	68,496
Low income Surcharge	1,560,324
Total Bills	1,628,820
Energy Charge	
Summer kWh	1,163,520,641
On-peak	10,422,800
Off-peak	18,513,900
Energy Eff Charge	1,190,988,187
Winter kWh	
Base	1,710,217,579
Seasonal	485,390,789
On-peak	18,651,329
Off-peak	34,370,431
Energy Eff Charge	2,244,955,752
Total kWh	3,441,087,469

Large General Service	
	Billing Units
Customer Charge	
Summer Bills	41,124
Winter Bills	82,248
TOD Bills	360
Total Bills	123,732
Demand Charge (kW)	
Summer	8,415,761.90
Winter	15,855,959.81
Energy Charge	
Summer kWh	
First 150HU	1,140,083,897
Next 200HU	1,242,304,349
Over 350HU	511,797,661
On-peak	5,054,797
Off-peak	11,084,437
Energy Eff	2,829,079,627
Winter kWh	
Base Energy Charge	
First 150HU	1,868,430,811
Next 200HU	2,033,988,938
Over 350HU	843,340,932
Seasonal Energy	426,408,704
On-peak	8,480,266
Off-peak	18,917,565
Energy Eff	5,063,278,652
Total kWh	8,066,355,291

Small Primary Service	
	Billing Units
Customer Charge	
Summer Bills	2,548
Winter Bills	5,096
TOD Bills	240
Total Bills	7,884
Demand Charge (kW)	
Summer	2,870,165.04
Winter	5,252,950.23
Energy Charge	
Summer kWh	
First 150HU	418,646,201
Next 200HU	511,096,977
Over 350HU	368,414,544
On-peak	13,920,363
Off-peak	30,242,458
Energy Eff	1,209,824,830
Winter kWh	
First 150HU	697,135,073
Next 200HU	858,483,268
Over 350HU	617,854,176
Seasonal Energy	168,549,662
On-peak	24,741,000
Off-peak	53,662,844
Energy Eff	2,179,226,463
Total kWh	3,640,179,900
Reactive Charge	1,111,391
Rider b	
115 kw	6,601.99
69 kw	905,455.13

Large Primary Service	
	Billing Units
Customer Charge	
Bills	780
TOD	48
Low income Surcharge	828
Demand Charge (kW)	
Summer	2,506,949.40
Winter	4,547,498.35
Energy Charge	
Summer kWh	
Energy	1,391,940,050
On Peak	36,010,614
Off-Peak	75,765,308
Energy Eff Charge	672,953,214
Winter kWh	
Energy	2,462,833,566
On Peak	64,070,166
Off-Peak	131,227,581
Energy Eff Charge	1,166,385,481
Total kWh	3,854,773,616
Reactive Charge	533,066
Rider b	
115 kw	600,215.50
69 kw	1,976,071.70

Large Transmission Service	
	Billing Units
Customer Charge	
Summer Bills	4
Winter Bills	8
Low Income Surcharge	12
Demand Charge (kW)	
Summer	1,936,921.1
Winter	3,883,682.1
Reactive Demand Charge	
Summer	0.0
Winter	0.0
Energy Charge	
Summer kWh	
Energy	1,397,501,011
Line of Loss	48,912,535
Winter kWh	
Energy	2,793,512,555
Line of Loss	97,772,940
Total kWh w/o Line Loss	4,191,013,566
Line Losses	146,685,475
Total kWh w/ Line Loss	4,337,699,041

ER-2014-0258 Rat
Ordered Rates

Horizontal - enclosed on existing wood pole	HPS	9500	\$	12.41
Horizontal - enclosed on existing wood pole	HPS	25500	\$	17.93
Horizontal - enclosed on existing wood pole	HPS	50000	\$	31.97
Horizontal - enclosed on existing wood pole	MV	6800	\$	12.41
Horizontal - enclosed on existing wood pole	MV	20000	\$	17.93
Horizontal - enclosed on existing wood pole	MV	54000	\$	31.97
Horizontal - enclosed on existing wood pole	MV	108000	\$	63.95
Open bottom on existing wood pole	HPS	5800	\$	10.05
Open bottom on existing wood pole	HPS	9500	\$	10.98
Open bottom on existing wood pole	MV	3300	\$	10.05
Open bottom on existing wood pole	MV	6800	\$	10.98
Post top including 17 foot post	HPS	9500	\$	22.99
Post top including 17 foot post	MV	3300	\$	21.73
Post top including 17 foot post	MV	6800	\$	22.99
Directional	HPS	25500	\$	22.76
Directional	HPS	50000	\$	36.00
Directional	MH	34000	\$	22.76
Directional	MH	100000	\$	71.96
Directional	MV	20000	\$	22.76
Directional	MV	54000	\$	36.00
Prior to April 9, 1986				
11,000 Lumens, Mercury Vapor, Post-Top		11000	\$	22.99
11,000 Lumens, Mercury Vapor, Open Bottom		11000	\$	10.98
11,000 Lumens, Mercury Vapor, Horizontal Enclosed		11000	\$	12.41
42,000 Lumens, Mercury Vapor, Horizontal Enclosed		42000	\$	31.97
5,800 Lumens, H.P. Sodium, Open Bottom		5800	\$	-
16,000 Lumens, H.P. Sodium, Horizontal Enclosed		16000	\$	12.41
34,200 Lumens, H.P. Sodium, Directional (2)		34200	\$	22.76
140,000 Lumens, H.P. Sodium, Directional		140000	\$	71.96
20,000 Lumens, Metal Halide, Directional		20000	\$	22.76
1000 INC Wood			\$	11.89
2500 INC Wood			\$	16.05
4000 INC Wood			\$	18.52
6000 INC Wood			\$	20.56
10000 INC Wood			\$	27.92
6M RATE				
Description				
Metered service (cust charge per meter)	Type	Lumens		\$ 6.71
Energy charge (per kWh)				\$ 0.0454
Customer charge per account				\$ 6.71
Energy & Maintenance	HPS	9500	\$	3.61
Energy & Maintenance	HPS	25500	\$	6.28
Energy & Maintenance	HPS	50000	\$	9.07
Energy & Maintenance	MH	5500	\$	5.22

Energy & Maintenance	MH	12900	\$	6.25
Energy & Maintenance	MV	3300	\$	3.61
Energy & Maintenance	MV	6800	\$	4.70
Energy & Maintenance	MV	11000	\$	6.36
Energy & Maintenance	MV	20000	\$	8.43
Energy & Maintenance	MV	54000	\$	18.00
Energy Only	HPS	9500	\$	1.75
Energy Only	HPS	16000	\$	2.98
Energy Only	HPS	25500	\$	4.47
Energy Only	HPS	50000	\$	7.03
Energy Only	MV	3300	\$	1.85
Energy Only	MV	6800	\$	3.01
Energy Only	MV	11000	\$	4.29
Energy Only	MV	20000	\$	6.62
Energy Only	MV	42000	\$	11.03
Energy Only	MV	54000	\$	15.75
5_6M				
Customer Charge			\$	6.71
Metered kWh			\$	0.0454
	LED			
2500 Lumen			\$	0.60
5000 Lumen			\$	1.06
4,250 Lumen (Post Top)			\$	1.28
12,500 Lumen			\$	2.73
19000 Lumen			\$	3.94

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office in
Jefferson City on the 2nd day of
June, 2015.

In the Matter of Union Electric Company, d/b/a)
Ameren Missouri's Tariff to Increase Its)
Revenues for Electric Service)

File No. ER-2014-0258

ORDER APPROVING RECONCILIATION OF CONTESTED ISSUES

Issue Date: June 2, 2015

Effective Date: June 2, 2015

Section 386.420.4, RSMo (Cum. Supp. 2013), requires the Commission to prepare and approve a detailed reconciliation regarding the dollar value and rate or charge impact of the contested issues decided by the Commission in this rate case. The law requires the Commission to allow the parties an opportunity to provide written input regarding that reconciliation.

On May 21, 2015, Ameren Missouri filed a proposed reconciliation along with a motion asking the Commission to approve that reconciliation. The Commission directed its Staff to respond to Ameren Missouri's proposed reconciliation by June 1, and allowed other parties until that date to respond if they wished to do so.

On May 28, Ameren Missouri filed a motion asking the Commission to approve a corrected reconciliation it prepared based on discussions with Staff. Later that day, Staff filed a response, indicating that the corrected reconciliation filed by Ameren Missouri is correct and compliant with the statute. Staff advised the Commission to approve the reconciliation. No other party has responded to the reconciliation.

The Commission finds that the reconciliation submitted by Ameren Missouri on May 21, 2015, as corrected on May 28, is an accurate representation of the revenue requirement impact of the issues decided by the Commission in its report and order. The Commission further finds that the submitted reconciliation satisfies the requirements of Section 386.420.4, RSMo (Cum. Supp. 2013).

THE COMMISSION ORDERS THAT:

1. The Reconciliation of Issues Decided by the Commission filed by Union Electric Company d/b/a Ameren Missouri on May 21, 2015, and corrected on May 28, 2015, is approved.
2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
Hall, and Rupp, CC., concur.

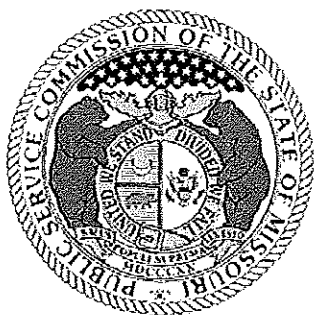
Woodruff, Chief Regulatory Law Judge

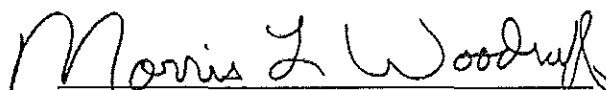
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 2nd day of June 2015.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

June 2, 2015

File/Case No. ER-2014-0258

Office of the Public Counsel
Dustin Allison
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

Missouri Public Service Commission
Kevin Thompson
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Kevin.Thompson@psc.mo.gov

Missouri Public Service Commission
Office General Counsel
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Missouri Retailers Association
Stephanie S Bell
308 East High Street, Suite 301
Jefferson City, MO 65101
sbell@bbdcl.com

Missouri Retailers Association
Marc H Ellinger
308 E. High Street, Ste. 301
Jefferson City, MO 65101
mellinger@blitzbardgetf.com

Natural Resources Defense Council
Henry B Robertson
319 N. Fourth St., Suite 800
St. Louis, MO 63102
hrobertson@greatriverslaw.org

Renew Missouri
Andrew J Linhares
910 E Broadway, Ste 205
Columbia, MO 65201
Andrew@renewmo.org

Sam's East, Inc
Marcos Barbosa
2400 Pershing Road
Kansas City, MO 64108
barbosa@bscr-law.com

Sam's East, Inc
Rick D Chamberlain
6 NE 63rd Street, Ste. 400
Oklahoma City, OK 73105
rchamberlain@okenergyllaw.com

Sierra Club
Sunil Bector
85 Second Street, 2nd Floor
San Francisco, CA 94105-3441
sunil.bector@sierraclub.org

Sierra Club
Thomas Cmar
1101 Lake Street, Ste. 405B
Oak Park, IL 60301
tcmar@earthjustice.org

Sierra Club
Henry B Robertson
319 N. Fourth St., Suite 800
St. Louis, MO 63102
hrobertson@greatriverslaw.org

Union Electric Company
Paul A Boudreau
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
PaulB@brydonlaw.com

Union Electric Company
Russ Mitten
312 E. Capitol Ave
P.O. Box 456
Jefferson City, MO 65102
rmitten@brydonlaw.com

Union Electric Company
Sarah E Giboney
111 South Ninth Street, Suite 200
P.O. Box 918
Columbia, MO 65205-0918
giboney@smithlewis.com

Union Electric Company
Daniel C Nelson
7700 Forsyth Boulevard, Suite 1800
Saint Louis, MO 63105
dnelson@armstrongteasdale.com

Union Electric Company
Bradley M Seltzer
555 12th Street N.W.
Deloitte Tax, Ste 400
Washington, DC 20004-1207
bseltzer@deloitte.com

Union Electric Company
James B Lowery
111 South Ninth St., Suite 200
P.O. Box 918
Columbia, MO 65205-0918
lowery@smithlewis.com

Union Electric Company
Matthew R Tomc
1901 Chouteau
St. Louis, MO 63166
AmerenMOService@ameren.com

Union Electric Company
Michael R Tripp
111 S. 9th Street
P.O. Box 918
Columbia, MO 65205-0918
tripp@smithlewis.com

Union Electric Company
Wendy Tatro
1901 Chouteau Avenue
St. Louis, MO 63103-6149
AmerenMOService@ameren.com

United for Missouri
David C Linton
314 Romaine Spring View
Fenton, MO 63026
Jdlinton@reagan.com

**United Steelworkers District 11,
AFL-CIO**
Legal Department
10523 Glen Oak Drive
Festus, MO 63028-3135

Wal-Mart Stores East, LP
Marcos Barbosa
2400 Pershing Road
Kansas City, MO 64108
barbosa@bscr-law.com

Wal-Mart Stores East, LP
Rick D Chamberlain
6 NE 63rd Street, Ste. 400
Oklahoma City, OK 73105
rchamberlain@okenergylaw.com

City of Ballwin, Missouri
Carl J Lumley
130 S. Bemiston, Ste 200
St. Louis, MO 63105
clumley@lawfirmemail.com

City of Ballwin, Missouri
Leland B Curtis
130 S. Bemiston, Suite 200
St. Louis, MO 63105
lcurtis@lawfirmemail.com

City of Ballwin, Missouri
Edward J Sluys
130 S. Bemiston, Suite 200
St. Louis, MO 63105
esluys@lawfirmemail.com

City of O'Fallon, Missouri
Carl J Lumley
130 S. Bemiston, Ste 200
St. Louis, MO 63105
clumley@lawfirmemail.com

City of O'Fallon, Missouri
Leland B Curtis
130 S. Bemiston, Suite 200
St. Louis, MO 63105
lcurtis@lawfirmemail.com

City of O'Fallon, Missouri
Edward J Sluys
130 S. Bemiston, Suite 200
St. Louis, MO 63105
esluys@lawfirmemail.com

Consumers Council of Missouri
John B Coffman
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net

IBEW Local Union 1439
Sherrie Hall
7730 Carondelet Ave., Ste 200
St. Louis, MO 63105
sahall@hammondshinners.com

IBEW Local Union 1439
Emily Perez
7730 Carondelet Ave., Suite 200
St. Louis, MO 63105
eperez@hammondshinners.com

Midwest Energy Consumers Group
David Woodsmall
807 Winston Court
Jefferson City, MO 65101
david.woodsmall@woodsmalllaw.com

Missouri Division of Energy
Ollie M Green
P.O. Box 1157
Jefferson City, MO 65102
ollie.green@ded.mo.gov

**Missouri Industrial Energy
Consumers (MIEC)**
Edward F Downey
221 Bolivar Street, Suite 101
Jefferson City, MO 65101
efdowney@bryancave.com

**Missouri Industrial Energy
Consumers (MIEC)**
Elizabeth Carver
211 N. Broadway, Ste 3600
St. Louis, MO 63102
eccarver@bryancave.com

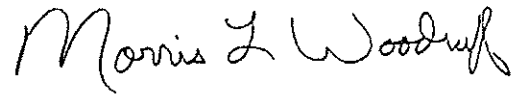
**Missouri Industrial Energy
Consumers (MIEC)**
Carole Iles
221 Bolivar St., Suite 101
Jefferson City, MO 65101
carole.iles@bryancave.com

**Missouri Industrial Energy
Consumers (MIEC)**
Kenneth J Mallin
211 N. Broadway, Ste. 3600
St. Louis, MO 63102
kjmallin@bryancave.com

**Missouri Industrial Energy
Consumers (MIEC)**
Diana M Vuylsteke
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in cursive script that reads "Morris L. Woodruff". The signature is written in black ink and is positioned above the typed name.

Morris L. Woodruff
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.

APPELLANT'S STATEMENT OF ISSUES

Appellant asserts that the Report and Order ("Order") of the Missouri Public Service Commission ("Commission") is unjust, unreasonable, unlawful, arbitrary and capricious for all of the reasons set forth in its Application for Rehearing filed on May 11, 2015 and attached hereto. Without limiting the foregoing, Appellant asserts that the Order of the Commission:

1. Is unlawful in that the special rate that Ameren Missouri ("Ameren") is ordered to charge Noranda Aluminum ("Noranda") constitutes the grant of an undue preference in violation of §393.130.3 RSMo (Cum. Supp. 2013).
2. Is in excess of the Commission's statutory authority in that the special Noranda rate is a direct subsidy provided to an individual customer of Ameren which is a legislative, not regulatory function.
3. Is unreasonable in that the Commission's finding that Noranda is in imminent danger of closing is contrary to the record evidence.
4. Is arbitrary and capricious in that the Commission as recently as August 20, 2014 in a Report and Order in Case No. EC-2014-0224 concluded that Noranda's claims of financial distress were questionable and, even if true, were self-inflicted and, further, that whether Noranda should receive a direct subsidy was a question for the Missouri General Assembly and not for the Commission. The Commission's Order does not address what circumstances had changed in only 8 months to justify a complete reversal of its previous findings and conclusions.
5. Is unreasonable in that the subsidy the Commission has mandated for Noranda is excessively costly to the other Ameren ratepayers who must foot the bill, and lacks reasonable and adequate safeguards and conditions that will protect them if circumstances should change.

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

CIVIL CASE INFORMATION FORM
(This form must be filed with the Notice of Appeal)

List every party involved in the case, indicate the position of the party in the circuit court (e.g., plaintiff, defendant, intervenor) and in the Court of Appeals (e.g., appellant, respondent) and the name of the attorney of record, if any, for each party. Attach additional sheets to identify all parties and attorneys if necessary.

<u>Party</u>	<u>Attorney</u>
Missouri Public Service Commission	Shelley Brueggemann Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102
Missouri Public Service Commission (Party as a matter of right per statute)	Kevin Thompson Missouri Public Service Commission 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102-0360
Missouri Office of the Public Counsel (Party as a matter of right per statute)	Dustin J. Allison Missouri Office of Public Counsel 200 Madison Street, Suite 650 P.O. Box 2230 Jefferson City, MO 65102-2230
Missouri Department of Economic Development – Division of Energy (Intervenor)	Ollie Green P.O. Box 1157 Jefferson City, MO 65102
MIEC (Intervenor)	Diana M. Vuylsteke Bryan Cave, LLP 211 N. Broadway, Suite 3600 St. Louis, MO 63102
MECG (Intervenor)	David Woodsmall Woodsmall Law Office 308 East High St., Suite 204 Jefferson City, MO 65101
Missouri Retailers Association (Intervenor)	Marc H. Ellinger Blitz, Bardgett & Deutsch, L.C. 308 East High Street, Suite 301 Jefferson City, MO 65101

Wal-Mart Stores East, L.P. and Sam's East, Inc.

Rick D. Chamberlain
Behrens, Wheeler & Chamberlain
6 N.E. 63rd St., Suite 400
Oklahoma City, OK 73105

Marcos A. Barbosa
Baker Sterchi Cowden & Rice, LLC
2400 Pershing Road, Suite 500
Kansas City, MO 64108

Union Electric Company d/b/a Ameren Missouri,
(Appellant)

James B. Lowery
SMITH LEWIS, LLP
111 South Ninth Street, Suite 200
P.O. Box 918
Columbia, MO 65205-0918

Wendy K. Tatro
Union Electric Company
P.O. Box 66149
St. Louis, MO 63166-6149

Date Notice filed with the Commission:

=====

The Record on Appeal will consist of:

Legal File Only

Legal File and Transcript

FACTUAL BACKGROUND: (Events Giving Rise to Cause of Action. Attach one additional page, if necessary).

The Missouri Public Service Commission issued a *Report and Order*, in Commission Case No. ER-2014-0258, on April 29, 2015. On May 11, 2015 Appellant timely filed its Application for Rehearing, which was denied by the Commission by Order dated May 20, 2015.

Among other things, the Commission directed Ameren Missouri to provide a special rate for electric service to Noranda Aluminum, Inc. ("Noranda").

ISSUES EXPECTED TO BE RAISED ON APPEAL: (Attach one additional page, if necessary. Appellant is not bound by this list. Attach one copy of the post-trial motion, if one was filed).

1. Whether the special rate that Ameren Missouri (“Ameren”) is ordered by the Commission to charge Noranda Aluminum (“Noranda”) constitutes the grant of an undue preference in violation of §393.130.3 RSMo (Cum. Supp. 2013)?
2. Whether granting Noranda a special rate as a direct subsidy is in excess of the Commission’s statutory authority?
3. Whether the Commission’s finding that Noranda is in imminent danger of closing is unreasonable in that it is contrary to the record evidence?
4. Whether the Order is arbitrary and capricious in that the Commission as recently as August 20, 2014 in a Report and Order in Case No. EC-2014-0224 concluded that Noranda’s claims of financial distress were questionable and, even if true, were self-inflicted and, further, that whether Noranda should receive a direct subsidy was a question for the Missouri General Assembly and not for the Commission?
5. Whether the Commission’s Order is unreasonable in that the subsidy the Commission has mandated for Noranda is excessively costly to the other Ameren ratepayers who must foot the bill and lacks reasonable and adequate safeguards and conditions that will protect them if circumstances should change?