

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

In the Matter of the Petition of Union
Electric Company d/b/a Ameren Missouri)
for a Financing Order Authorizing the) File No. EF-2024-0021
Issuance of Securitized Utility Tariff Bonds)
for Energy Transition Costs related to Rush)
Island Energy Center.

AMEREN MISSOURI’S RESPONSE TO PUBLIC COUNSEL’S REPLY

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”) and in response to Public Counsel’s December 28, 2023, Reply, states as follows:

1. Public Counsel’s December 28, 2023, Reply correctly points out that the Company’s December 21, 2023, Response to Public Counsel’s Motion for the Commission to Order Ameren Missouri and Authorize Public Counsel to Publicly Disclose Information (the “Response”) overlooked addressing the information marked as confidential in the direct testimonies of Company witnesses Moor, Lansford, Michels, and Williams. The Company will do so here.

2. Karl Moor. The confidential information on page 12, lines 8-12, page 14, lines 22-23 and 26-29, and page 15, line 34 is all confidential under 20 CSR 4240-2.135(2)(A)5 because the information consists of reports, work papers, or other documentation relating to the work of external attorneys, i.e., Hunton & Williams, as discussed in the Company’s Response. For the reasons given in the Response, the material on page 14, lines 2 – 8 should be redesignated as public since such material reflects a quote from Schedule SCW-D1 to Mr. Whitworth’s direct testimony which, as the Response indicated, should be public.

3. Mitchell Lansford. All of the confidential information in Mr. Lansford’s direct testimony is confidential under 20 CSR 4240-2.135(2)(A)6 because it reflects “[s]trategies employed, to be employed, or under consideration in contract negotiations.”

4. Matt Michels. All of the information in Mr. Michel’s direct testimony is confidential

under 20 CSR 4240-2.135(2)(A) 4 and 8 since the information reflects, respectively, market specific information relating to goods (transmission infrastructure components, e.g., labor, materials, and equipment) to be acquired to serve customers, and is kept confidential by the Company as a Company trade secret, including due to FERC Code of Conduct requirements that prohibit marketing employees of the Company from having access to such transmission-related information, access which would be possible if the information were publicly disclosed.

5. Jim Williams. All of the information in Mr. Williams' direct testimony is confidential under 20 CSR 4240-2.135(2)(A)3 and 5, respectively, since the information consists of information about services offered by vendors in competition with others (i.e., decommissioning services to be provided by contractors to be engaged to decommission Rush Island), and also consists of information from a report provided by external consultants (i.e., Black & Veatch).

6. Having addressed the substance of Public Counsel's Reply the Company desires to amend the request it made in paragraph 6 of the Response, to read in full, as amended, as follows:

- a. The Company requests that the Commission deny OPC's request that it simply be allowed to make the confidential information public;
- b. Order the Company, within 10 days of the issuance of such an order, to designate the pages and schedules identified in Mr. Whitworth's direct testimony as "Confidential" and specify as part of those designations the application of 20 CSR 4240-2.135(2)(A)5, and to refile Mr. Whitworth's confidential version of testimony containing the proper designations;
- c. Refile the public version of Mr. Whitworth's direct testimony and include therein Schedules SCW-D1 and SCW-D21 which, while marked confidential at the time of their preparation, are not privileged and do not fall within any of the categories of 20

CSR 4240-2.135(2)(A) and thus should be public;

- d. Order the Company, within 10 days of the issuance of such an order, to designate the pages and lines identified above in Messrs. Moor's, Lansford's, Michels', and Williams' direct testimonies as "Confidential" and specify as part of those designations the applicable provisions of 20 CSR 4240-2.135(2)(A) identified above, and to refile the confidential versions of said direct testimonies containing the proper designations; and
- e. Refile within said 10-day period the public version of Mr. Moor's direct testimony to reflect the public nature of the information quoted from Schedule SCW-D1 from Mr. Whitworth's direct testimony, as discussed above.

WHEREFORE, the Company hereby responds to OPC's Reply and requests the relief set forth in paragraph 6 hereof.

Respectfully submitted,

/s/ James B. Lowery

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CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing have been e-mailed to the attorneys of record for all parties to this case as specified on the certified service list for this case in EFIS, on this 2nd day of January, 2024.

/s/ James B. Lowery
James B. Lowery