

**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.)

Case No. EA-2012-0281

**REPLY BRIEF OF THE
OFFICE OF THE PUBLIC COUNSEL**

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REPLY BRIEF OF THE OFFICE OF THE PUBLIC COUNSEL

COMES NOW the Office of the Public Counsel (Public Counsel) and states for its Reply Brief as follows:

1. In this case, the Missouri Public Service Commission (Commission) was asked to decide whether the evidence established that the utility waste landfill for which Ameren Missouri is seeking a certificate of convenience and necessity (CCN) is necessary or convenient for the public service; and if so, to decide what conditions, if any, the Commission should impose.
2. In its position statement on the issues, Public Counsel supported the position of the Missouri Public Service Commission Staff (Staff).¹
3. Staff recommends that the Commission: (1) grant Ameren Missouri a CCN for the utility waste landfill conditioned on Ameren Missouri obtaining from the Missouri Department of Natural Resources (DNR) both a utility waste landfill construction permit and a land disturbance permit for the proposed Labadie utility waste landfill before it exercises the rights the CCN allows it to exercise; (2) order Ameren Missouri to notify the Commission when the contingencies are met by filing copies of the DNR permits in this case; and (3) include in its

¹ Public Counsel's Statement of Position, pg. 1.

order granting the certificate of convenience and necessity a statement that the grant of the certificate of convenience and necessity is not a determination of the ratemaking treatment of the costs associated with the utility waste landfill.²

4. Ameren Missouri agrees that the conditions proposed by Staff in its recommendation are appropriate conditions.³

5. Public Counsel has reviewed the evidence admitted in this case and the initial briefs filed by the parties and now states that it continues to believe that the evidence supports a Commission finding that Staff's position and recommendations are just and reasonable.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

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² Staff's Initial Brief, pg. 3-4.

³ Initial Post-Hearing Brief of Ameren Missouri, pg. 34.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 21st day of May 2014:

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