

**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 Certificate of Public Convenience and) File No. EA-2025-0238
Necessity Authorizing it to Construct a Simple Cycle)
Natural Gas Generation Facility.)

**AMEREN MISSOURI'S RESPONSE TO GRAIN BELT EXPRESS
MOTION TO WITHDRAW AND STRIKE TESTIMONY**

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Company" or "Ameren Missouri"), and for its response to the above-referenced motion, states as follows

1. On January 12, 2026, Grain Belt Express LLC ("GBX") filed the above-referenced motion asking that it be formally dismissed from this case and that the sole piece of rebuttal testimony GBX filed be ordered stricken. As GBX indicated, GBX inquired of Ameren Missouri shortly before filing its motion as to whether Ameren Missouri would oppose the motion, and Ameren Missouri indicated it did not oppose it. That remains true.

2. Ameren Missouri files this response simply to ensure clarity regarding this docket in light of GBX's motion.

3. It should be noted that no Commission rule (and no provision of the Public Service Commission Law ("PSC Law")) requires a Commission order allowing an intervenor to withdraw from a case. *Cf.* 20 CSR 4240.2.116(1) (An applicant or complainant is required to seek leave once prepared testimony has been filed or oral evidence has been offered – GBX is neither an applicant nor a complainant). With respect to testimony, no rule or provision of the PSC Law required GBX to submit pre-filed testimony in the case file at all but a utility applicant with a burden of proof or, e.g., the Staff if ordered to file a recommendation, report, or testimony, would have such a requirement.

4. However, since GBX (out of an abundance of caution) requested leave to withdraw and for an order striking its testimony from the case docket, for the sake of clarity (especially given the advanced stage of the case in terms of the procedural schedule), the parties would benefit from a prompt order granting the relief GBX seeks. The Company agrees that with GBX's dismissal as a party and with its prefiled testimony no longer part of the docket (and not being a part of the evidentiary record in this case), the Company's Motion to Compel is moot. The Company also understands why GBX has asked that its protective order motion be sustained since it has produced information in discovery and treated it as highly confidential.

5. Regardless, since the pre-filed testimony will not be offered and thus will not be part of the case's evidentiary record,¹ the Company will not respond to it in the Company's Surrebuttal Testimony.

WHEREFORE, Ameren Missouri respectfully files this response and requests a prompt order formally dismissing GBX from this case and striking its pre-filed testimony.

¹ Without admission and a witness to stand cross-examination on it, the pre-filed testimony is hearsay.

Respectfully submitted,

/s/ James B. Lowery

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**ATTORNEYS FOR UNION ELECTRIC
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CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing Statement and associated exhibits were served on counsel for all parties of record via electronic mail (e-mail) on this 13th day of January, 2026.

/s/ James Lowery

James Lowery