

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

Filed
May 19, 2011
Data Center
Missouri Public
Service Commission

In the Matter of the Tariff Filings of Union)
Electric Company, d/b/a Ameren Missouri, to) File No. ER-2011-0028
Increase Its Revenues for Retail Electric Service.)

**AFFIDAVIT OF
WARNER L. BAXTER**

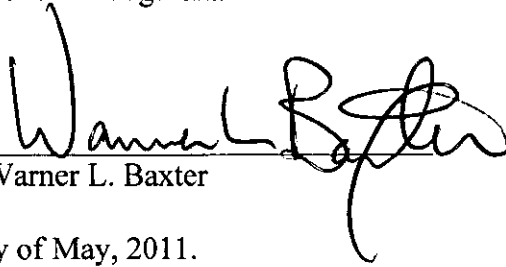
Ameren Exhibit No. 158
Date 5/16/11 Reporter SM
File No. ER-2011-0028

I, Warner L. Baxter, being first duly sworn upon my oath, state as follows:

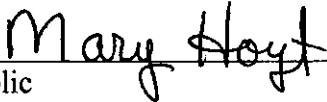
1. I am employed as President and Chief Executive Officer for Union Electric Company d/b/a Ameren Missouri ("Company").
2. The Company is a party to a Consent Judgment approved by the Circuit Court of Reynolds County, Missouri arising from claims by the State of Missouri including without limitation the Missouri Department of Natural Resources and the Missouri Department of Conservation. The Attorney General, the Missouri Department of Natural Resources, and the Missouri Conservation Commission are defined as the "State Parties" in the Consent Judgment. The Consent Judgment was admitted into evidence as Exhibit 157 in this case on May 2, 2011.
3. The Consent Judgment required the Company to notify the State Parties at least seven business days prior to filing any case in which the Company sought rate recovery of "allowed costs" under the Consent Judgment.
4. During the evidentiary hearings, Commissioner Kenney requested that a copy of the notice required by the Consent Judgment and any handouts that were provided to the State Parties be made a part of the record, and the Commission reserved Exhibit 158 for that purpose.
5. Attached to this Affidavit is a true and correct copy of the notice, in the form of a letter provided to each of the State Parties on or about August 16, 2010. I attended separate meetings with senior leadership of each of the State Parties and provided the attendees with the

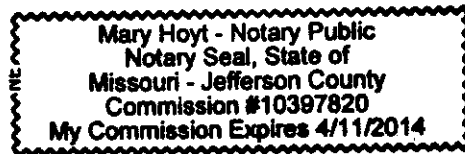
notice and the handouts included in Exhibit 158. I also explained the basis for the Company's request to recover certain "allowed costs" under the Consent Judgment.

Further affiant sayeth not.


Warner L. Baxter

Subscribed and sworn to before me this 9th day of May, 2011.


Notary Public



AmerenUE

Warner L. Baxter
President & Chief Executive Officer

Hand Delivered

One Ameren Plaza
1901 Chouteau Avenue
PO Box 66149, MC 200
St. Louis, MO 63166-6149
314.554.6302
314.554.3066 fax
wbaxter@ameren.com

August 16, 2010

Missouri Department of Natural Resources
Office of the Director – Mark N. Templeton, Director
P.O. Box 176
Jefferson City, MO 65102-0176

Missouri Department of Conservation
Office of the Director – Bob Ziehmer, Director
2901 W. Truman Blvd.
P.O. Box 180
Jefferson City, MO 65201-0180

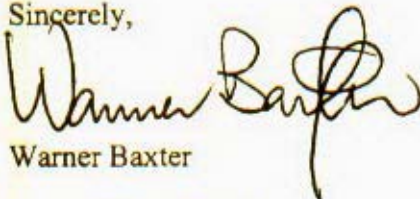
Attorney General of the State of Missouri
Attorney General Chris Koster
Supreme Court Building
P.O. Box 899
Jefferson City, MO 65201

Re: Notice - ¶ 3, Consent Judgment, Reynolds County Circuit Court Case No.
07RE-CC00005

Dear Messrs. Templeton, Ziehmer and Koster:

Pursuant to ¶ 3 of the above-referenced Consent Judgment, please consider this letter as notice that Union Electric Company d/b/a AmerenUE intends to seek recovery of “allowed costs” (as defined by the Consent Judgment) in a general rate increase case to be filed by AmerenUE with the Missouri Public Service Commission in 2010. The new upper reservoir at the Taum Sauk plant is a greatly enhanced, state-of-the-art facility, and complies with current, much more stringent dam safety requirements. The enhancements reflected in the new reservoir include numerous safety features, its larger energy storage capacity and its much longer life, which will enable the Plant to provide service to our customers and the citizens of Missouri for many decades into the future.

Sincerely,



Warner Baxter

cc Wess Henderson
Lewis Mills

Re-Build Objectives & Features

- ❑ **Design & Construction Objectives**
 - Meet All Current Dam Safety Regulations
 - Comply with Good, Modern Design & Construction Practices
 - Rigorous Seismic Design
 - Safe, Robust, State-of-the Practice with Redundancies
 - Use Existing Rock Fill Material for a New Concrete (SRCC) Dam
- ❑ **Re-Build Features**
 - Roller Compacted Concrete (RCC)
 - 80 - 100+ Year Life Expectancy
 - Comprehensive Foundation Preparation
 - Complete Grout Curtain
 - Foundation Drainage System with Gallery
 - Overflow Release Structure

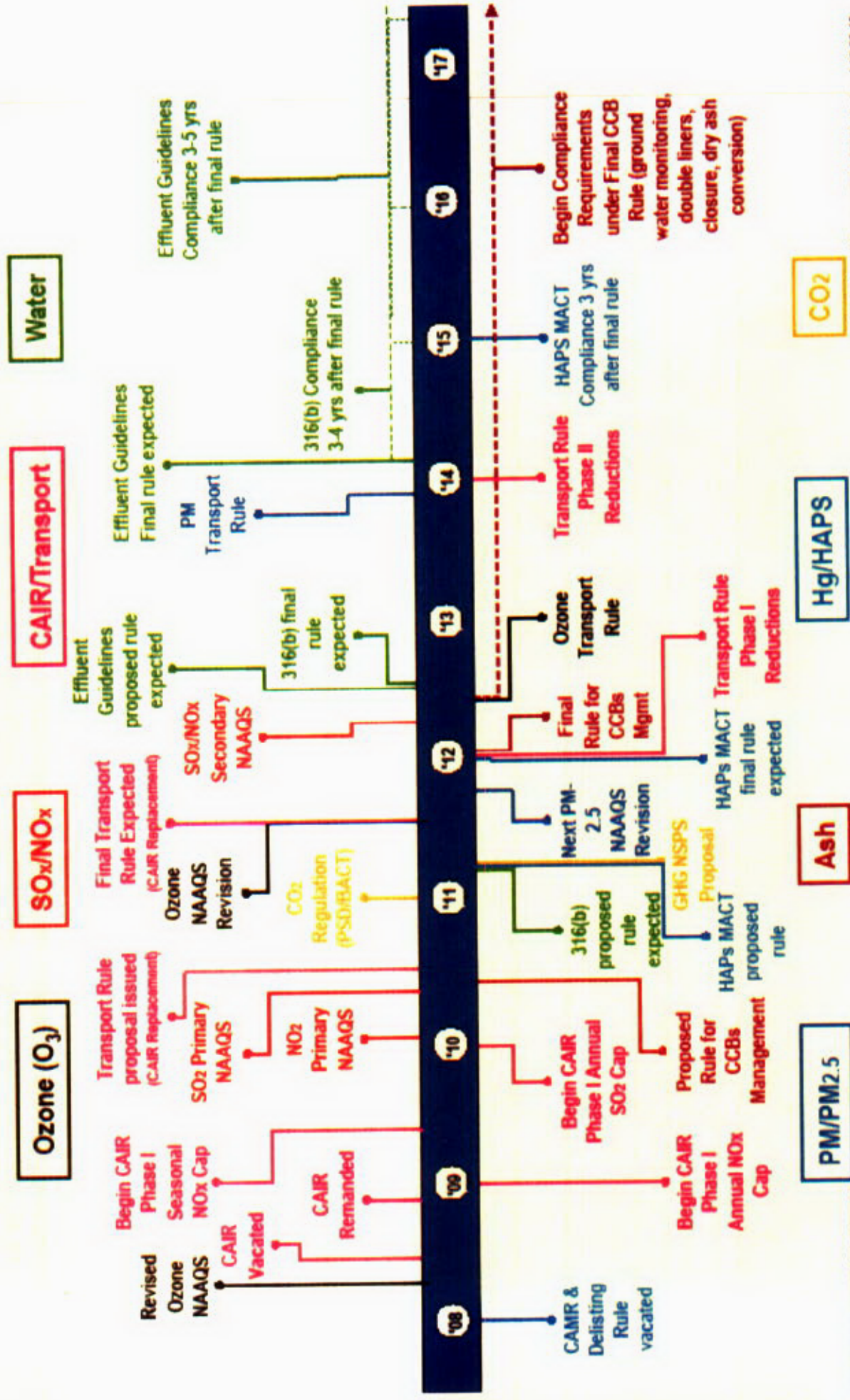


Old Reservoir



New Reservoir

Possible Timeline for Environmental Regulatory Requirements for the Utility Industry



Potential technical solutions to comply with environmental regulations

Regulatory Driver

Potential Technical Solutions

Coal Combustion Residual (CCR) Rule

Close existing ash ponds; convert to dry bottom ash and fly ash handling;
Dry disposal to approved landfill instead of pond

Clean Air Transport Rule (Clean Air Interstate Rule Replacement)

Switch to lower sulfur fuels; installation of SO₂ and NO_x control technology, i.e. FGD and SCR

Revisions to Ambient Air Quality Standard (National Ambient Air Quality Standards - NAAQS) Fine Particulate (PM_{2.5}); NO₂; Ozone; SO₂

Installation of SO₂ and NO_x control technology, i.e. FGD and SCR;
Installation of baghouses or upgrades of existing ESP

Clean Water Act Section 316(b) Protection of Aquatic Life

Installation of fine mesh screens on cooling water intake structures

Clean Water Act Section 316(a) Thermal Standards

Installation of closed cycle cooling towers

MACT for Hazardous Air Pollutants (Maximum Achievable Control Technology)

Installation of SO₂ and NO_x control technology, i.e. FGD and SCR;
Installation of ACI for mercury control

MPS for Mercury, NO_x and SO₂ (Multi-Pollutant Standard)

Installation of SO₂ and NO_x control technology, i.e. FGD and SCR;
Installation of ACI for mercury control

Clean Air Act Regulation of Greenhouse Gases

Installation of CCS;
Purchase of allowances and offsets if regulation allows

Revision to Steam Electric Effluent Guidelines Limitations

Installation of wastewater treatment plants