

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the Commission

In the Matter of)	
)	
Union Electric Company, d/b/a AmerenUE)	Docket No. 52-037-COL
)	
(Callaway Power Plant, Unit 2))	
)	
(Combined License))	

**PETITION FOR LEAVE TO INTERVENE AS AN INTERESTED STATE, OR,
IN THE ALTERNATIVE, PETITION FOR DISCRETIONARY INTERVENTION**

Pursuant to Title 10 Code of Federal Regulations (10 C.F.R.) §2.309(d)(2)(i), §2.315(c), and §2.309(e) and the Notice Of Hearing And Opportunity To Petition for Leave To Intervene published by the U.S. Nuclear Regulatory Commission at 74 Fed. Reg. 6,064 (February 4, 2009), the Public Service Commission of the State of Missouri (“MoPSC”) hereby petitions to intervene as an interested State, or, in the alternative, petitions for discretionary intervention in the combined construction and operating license application proceeding, Docket No. 52-037, of Union Electric Company, d/b/a AmerenUE (“Union Electric Company”), for the proposed Callaway Power Plant, Unit 2 (“Callaway Unit 2”). Missouri is an interested State in this proceeding because the proposed Callaway Unit 2 would be located within the State of Missouri.

The MoPSC will be the State’s representative for this case. Appearing on behalf of the MoPSC shall be Messrs. Steven Dottheim, Steven C. Reed, and Kevin A. Thompson of the MoPSC’s General Counsel’s Office. Please direct all correspondence in this proceeding to them as follows:

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Please also copy all correspondence to:

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In the alternative to intervention to participate as representative of the State in which the proposed new nuclear facility will be located, the MoPSC petitions for discretionary intervention. The MoPSC, which was created by the Missouri Legislature in 1913, is the State agency with general continuing regulatory jurisdiction over AmerenUE, pursuant to Chapters 386 and 393 of the Revised Statutes of Missouri (RSMo). The Staff of the MoPSC is comprised of engineers, economists, financial analysts, accountants, and attorneys. The members of the Staff of the MoPSC provide advice to the five Missouri Commissioners, and the Staff of the MoPSC appears as a party before the Missouri Commissioners. The MoPSC has general jurisdiction respecting Union Electric Company, and had general jurisdiction respecting the siting, resource planning and ratemaking relating to Callaway Units I and II and the ratemaking relating to the 1981 cancellation of Callaway Unit II. The MoPSC has no contentions to file respecting Callaway Unit 2. Proceedings are anticipated before the MoPSC respecting proposed

Callaway Unit 2, and the MoPSC does not want to create a situation where any entity may credibly argue that the MoPSC has prejudged an issue that may come before it for determination. Thus, the MoPSC does not anticipate that its participation in Docket No. 52-037 would inappropriately broaden the issues or delay Docket No. 52-037.

Wherefore the MoPSC files its Petition For Leave To Intervene As An Interested State, Or, In The Alternative, Petition For Discretionary Intervention.

Respectfully submitted,

/signed electronically by/
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Petition For Leave To Intervene As An Interested State, Or, In The Alternative, Petition For Discretionary Intervention were provided to the Electronic Information Exchange for service to those individuals on the service list in the proceeding, this 6th day of April 2009.

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