

May 1, 2009

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	Docket No. 52-037-COL
UNION ELECTRIC COMPANY d/b/a AmerenUE)	
)	
(Callaway Power Plant, Unit 2))	ASLBP No. 09-884-07-COL-BD01
)	
(Combined License))	

**AmerenUE's Answer Opposing The Missouri Office Of The Public Counsel's
Petition To Intervene In Docket No. 52-037, AmerenUE Callaway 2
Nuclear Power Plant Combined Construction And License Application**

I. Introduction

Union Electric Company d/b/a AmerenUE ("AmerenUE") hereby submits its answer ("Answer") in opposition to the Petition To Intervene In Docket No. 52-037, AmerenUE Callaway 2 Nuclear Power Plant Combined Construction And License Application by the Missouri Office of the Public Counsel ("Petition") filed in this proceeding on April 6, 2009. In its Petition, the Missouri Office of the Public Counsel ("Public Counsel") seeks to intervene in this proceeding and requests that the Nuclear Regulatory Commission ("NRC" or "Commission") conduct a hearing regarding AmerenUE's Application for a combined construction permit and operating license ("COL" or "combined license") for new Unit 2 ("Callaway 2") at the Callaway Plant site. The Petition should be denied because Public Counsel does not have standing to intervene and has not proposed an admissible contention.¹

¹ Public Counsel has not sought to participate in this proceeding as an "interested State" pursuant to 10 C.F.R. § 2.315(c).

II. Current Status Of The Project

This section is in response to the April 27, 2009 Memorandum and Order (Initial Prehearing Order) issued by the Atomic Safety and Licensing Board (at 5). This proceeding involves an application, submitted by AmerenUE on July 24, 2008, for a combined license to construct and operate an AREVA U.S. Evolutionary Power Reactor (“U.S. EPR”) pressurized water reactor at Callaway (the “Application” or “COLA”).² Callaway is located in Callaway County, Missouri near Fulton, Missouri. Callaway is the site of the currently operating Callaway Power Plant.

In early 2009, legislation was proposed to revise existing Missouri law which prevents Missouri investor-owned utilities from recovering any plant development costs, including financing costs, until an energy plant is operating. This proposed legislation was entitled the “Missouri Clean and Renewable Energy Construction Act,” and would have allowed regulators to authorize funding mechanisms for construction of clean energy plants in Missouri – including Callaway 2. On April 23, 2009, senior management of AmerenUE announced that they had asked the legislative sponsors to withdraw the bills from consideration by the Missouri General Assembly. AmerenUE believed that pursuing the legislation being considered in the Missouri Senate in its current form would not give AmerenUE the financial certainty needed to complete the project. As a result, AmerenUE announced that it was suspending its efforts to build a new nuclear unit in Missouri. A copy of the press release is attached to this Answer as Attachment 1.

² Callaway Plant Unit 2 Combined License Application (Rev. 0, July 24, 2008), transmittal letter available at ADAMS Accession No. ML082140630. On February 25, 2009, AmerenUE filed Rev. 1 to the Application. Callaway Plant Unit 2 Combined License Application (Rev. 1, February 25, 2009) transmittal letter available at ADAMS Accession No. ML090710444. The entire Application (Rev. 1 and Rev. 0) is available at <http://www.nrc.gov/reactors/new-reactors/col/callaway.html>.

However, as set forth in a letter dated April 28, 2009 to the NRC Staff, AmerenUE requested that current activities associated with the NRC Staff's technical review of the Application be continued as currently scheduled while AmerenUE reviews its options associated with the Application. AmerenUE already has commenced that review, but believes that immediately placing the review of the Application on hold could negatively impact certain of AmerenUE's options under consideration. AmerenUE is sensitive to the fact that continuation of the review of the COLA impacts the NRC resources, and consequently will keep the Board, the Staff, the Commission, and any admitted intervenors informed of the status of AmerenUE's internal review. A copy of the letter is attached to this Answer as Attachment 2.

Notwithstanding AmerenUE's request that the current activities associated with the NRC Staff's review of the Application be continued as currently scheduled, AmerenUE recognizes that the financial qualifications of AmerenUE cannot currently be reviewed by the NRC Staff. With AmerenUE's request that the sponsors of the legislation withdraw the bills from consideration, the premise of the financial qualifications analysis in the Application is no longer correct. Therefore, it is AmerenUE's understanding that the NRC Staff's review of its financial qualifications will not (and cannot) continue at this time.

III. Background

The NRC Staff conducted a sufficiency review of the Application and, finding it acceptable for docketing, docketed the Application on December 12, 2008. 73 Fed. Reg. 77,078 (Dec. 18, 2008). On February 4, 2009, the NRC published a Notice of Hearing and Opportunity to Petition for Leave to Intervene and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information and Safeguards Information for Contention

Preparation on a Combined License for Callaway 2. 74 Fed. Reg. 6,064 (Feb. 4, 2009). On April 6, 2009, Public Counsel filed its Petition now before the Board.

IV. The Petition Should Be Denied Because Petitioner Does Not Have Standing

To be admitted as a party in this proceeding, Public Counsel must demonstrate standing and plead at least one admissible contention. 10 C.F.R. § 2.309(a). AmerenUE submits that Public Counsel has not demonstrated standing either as a matter of right under 10 C.F.R. § 2.309(d) or as a matter of discretion under 10 C.F.R. § 2.309(e).

A. Petitioner Has Not Demonstrated Standing To Intervene As A Matter Of Right Under 10 C.F.R. § 2.309(d)

Public Counsel asserts that it has both organizational and representational standing to intervene in this proceeding. It has neither. Public Counsel claims that it has “statutory authority to represent the public in matters concerning public utilities such as AmerenUE, and is the only state agency with statutory authority to represent the public in public utility matters.” Petition at 1 (citing Section 386.700 *et seq.* RSMo 2000). According to the Missouri statute that enumerates Public Counsel’s powers and duties, however, Public Counsel has the authority to “represent and protect the interests of the public *in any proceeding before or appeal from the [Missouri] public service commission.*” Mo. Ann. Stat. § 386.710(2) (West 2009) (emphasis added). Nothing in the Missouri statute authorizes Public Counsel to represent anyone for any purpose in any other forum. The Petition cites no other authority. This limited authority belies Public Counsel’s claims of both organizational and representational standing. An organization seeking to intervene in its own right must demonstrate a palpable injury-in-fact to its organizational interests that is within the scope of interests of the Atomic Energy Act or the National Environmental Policy Act. Florida Power and Light Co. (Turkey Point Nuclear

Generating Plant, Units 3 and 4), ALAB-952, 33 N.R.C. 521, 528-30 (1991). Nothing in AmerenUE's Application could cause an injury to Public Counsel's organizational interest in representing the public before the Missouri Public Service Commission ("MoPSC").

Public Counsel's claim of representational standing is even more problematic. In its Petition, Public Counsel asserts standing based on the representation of Mr. Lewis Mills, who serves as Public Counsel, Public Counsel's unnamed staff, and "the members of the public in Missouri that may be affected by the NRC's decision in this matter." Petition at 2. Where an organization asserts a right to represent the interests of its members, "'judicial concepts of standing' require a showing that: (1) its members would otherwise have standing to sue in their own right; (2) the interests that the organization seeks to protect are germane to its purpose; and (3) neither the claim asserted nor the relief requested requires an individual member to participate in the organization's lawsuit." Private Fuel Storage, L.L.C. (Independent Spent Fuel Storage Installation), CLI-99-10, 49 N.R.C. 318, 323 (1999) (citation omitted). The organization must identify a member with standing by name and address, and it must show that the member has "authorized the organization to represent him or her and to request a hearing on his or her behalf." Consumers Energy Co. (Palisades Nuclear Power Plant), CLI-07-18, 65 NRC 399, 409 (2007). Public Counsel is not a membership organization; it has no members to represent. Public Counsel has not provided an affidavit from anyone authorizing Public Counsel to represent him or her. Mr. Mills states that he lives and works within 30 miles of the proposed site of Callaway 2, but he does not include an affidavit containing his address. Public Counsel also does not have representational standing to represent its staff, because they are unnamed individuals who also have not provided affidavits authorizing representation. For the same reason, Public Counsel does not have representational standing to represent the citizens of

Missouri – an organization cannot represent the public interest in general. Long Island Lighting Co. (Shoreham Nuclear Power Station, Unit 1), LBP-77-11, 5 N.R.C. 481 (1977); Puget Sound Power and Light Co. (Skagit/Hanford Nuclear Power Project, Units 1 and 2), LBP-82-74, 16 N.R.C. 981, 984 (1982) (citing Shoreham, 5 N.R.C. at 483). Nor has Public Counsel cited to any authority for its ability to represent the public in proceedings before the NRC.

B. Petitioner Has Not Met The Requirements For Discretionary Intervention Under 10 C.F.R. § 2.309(e)

If an Atomic Safety and Licensing Board (“Board”) finds that a petitioner lacks standing to intervene as a matter of right, a petitioner can request that its petition be granted as a matter of discretion by addressing the factors in 10 C.F.R. § 2.309(e), which the Board will consider and balance:

(1) Factors weighing in favor of allowing intervention—

- (i) The extent to which the requestor’s/petitioner’s participation may reasonably be expected to assist in developing a sound record;
- (ii) The nature and extent of the requestor’s/petitioner’s property, financial or other interests in the proceeding;
- (iii) The possible effect of any decision or order that may be issued in the proceeding on the requestor’s/petitioner’s interest;

(2) Factors weighing against allowing intervention—

- (i) The availability of other means whereby the requestor’s/petitioner’s interest will be protected;
- (ii) The extent to which the requestor’s/petitioner’s interest will be represented by existing parties; and
- (iii) The extent to which the requestor’s/petitioner’s participation will inappropriately broaden the issues or delay the proceeding.

10 C.F.R. § 2.309(e). Public Counsel has not demonstrated that these factors weigh in its favor.

First, as discussed above, Public Counsel has no interest in this proceeding – its authority is only to represent the public in proceedings before MoPSC. The order in this proceeding will have no effect on Public Counsel’s interest, and it can demonstrate no interest in need of protection or

representation. Second, MoPSC has petitioned for admission as an interested State in this proceeding, and has stated that it “will be the State’s representative for this case.” Petition For Leave To Intervene As An Interested State, Or, In The Alternative, Petition For Discretionary Intervention by the Missouri Public Service Commission (April 6, 2009) at 1. NRC regulations require that “Each State . . . *shall*, in its request to participate in a hearing, . . . designate a single representative for the hearing.” 10 C.F.R. § 2.315(c) (emphasis added). Public Counsel has asserted no expertise or knowledge regarding the Missouri statutes and regulations governing utilities and project financing that MoPSC does not also possess. Thus, assuming MoPSC’s admission as an interested State, Public Counsel would be of little assistance in developing a sound record in this proceeding. The Board should therefore deny Public Counsel’s Petition because it lacks standing either as a matter of right under 10 C.F.R. § 2.309(d) or as a matter of discretion under 10 C.F.R. § 2.309(e).

V. The Petition Should Be Denied Because Petitioner Has No Admissible Contentions

Even if Public Counsel had demonstrated standing either as a matter of right or as a matter of discretion, its Petition must still be denied because Public Counsel has proffered no contention. An admissible contention is a requirement to be admitted as a party to this proceeding. 10 C.F.R. § 2.309(a); see also Andrew Siemaszko, CLI-06-16, 63 N.R.C. 708, 719 (2006) (holding that an admissible contention is required even when a petitioner requests discretionary intervention); Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2), CLI-02-16, 55 N.R.C. 317, 346 (2002) (same).

VI. Selection of Hearing Procedures

Commission rules require the Board designated to rule on a petition to “determine and identify the specific hearing procedures to be used for the proceeding.” 10 C.F.R. § 2.310. The

regulations are explicit that “proceedings for the . . . grant . . . of licenses or permits subject to [10 C.F.R. Part 52] may be conducted under the procedures of subpart L.” 10 C.F.R. § 2.310(a). The regulations permit the presiding officer to use the procedures in 10 C.F.R. Part 2, Subpart G (“Subpart G”) in certain circumstances. 10 C.F.R. § 2.310(d). It is the proponent of the contentions, however, who has the burden of demonstrating “by reference to the contention and the bases provided and the specific procedures in subpart G of this part, that resolution of the contention necessitates resolution of material issues of fact which may be best determined through the use of the identified procedures.” 10 C.F.R. § 2.309(g). Public Counsel did not proffer a contention and did not address the selection of hearing procedures in its Petition and, therefore, did not satisfy its burden to demonstrate why Subpart G procedures should be used in this proceeding.

VII. Conclusion

For all of the foregoing reasons, the Petition should be denied.

Respectfully Submitted,

/Signed (electronically) by Michael G. Lepre/

Jay E. Silberg
Michael G. Lepre
Stefanie M. Nelson
PILLSBURY WINTHROP SHAW PITTMAN LLP
2300 N Street, NW
Washington, DC 20037-1128
Tel. (202) 663-8000

Counsel for Union Electric Company d/b/a AmerenUE

May 1, 2009

ATTACHMENT 1



Ameren News Release

One Ameren Plaza
1901 Chouteau Avenue
St. Louis, MO 63103

Contacts:

Media

Susan Gallagher
(314) 554-2175
sgallagher@ameren.com

Analysts

Doug Fischer
(314) 554-4859
dfischer@ameren.com

Investors

Investor Services
800-255-2237
invest@ameren.com

FOR IMMEDIATE RELEASE

AmerenUE Requests Sponsors to Withdraw Missouri Clean and Renewable Energy Construction Bills in General Assembly

Company Appreciates Strong Support Offered by Courageous Legislators, Applauds Vigorous Debate about Energy Issues

ST. LOUIS, MO, April 23, 2009—Senior management of AmerenUE, the Missouri operating subsidiary of Ameren Corporation (NYSE: AEE), today announced that they have asked the legislative sponsors of the Missouri Clean and Renewable Energy Construction Act (SB228/HB554) to withdraw the bills from consideration by the General Assembly.

"We want to thank the visionary leadership in both the Missouri House and Senate, where this legislation won strong initial support in committees in both bodies," said AmerenUE President and Chief Executive Officer Thomas R. Voss. "Many representatives and senators understood the need for acting now to secure Missouri's energy independence and security, agreeing with us that allowing these funding mechanisms is best for Missouri.

"As we were moving forward to preserve the option for nuclear energy for our state, we stressed that we needed financial and regulatory certainty before we could begin construction. However, the current version of the bill being debated in the Senate strips the legislation of the very provisions we needed most to move forward. As a result, AmerenUE is suspending its efforts to build a nuclear power plant in Missouri."

The legislation, as originally proposed, would have allowed regulators to authorize funding mechanisms for construction of clean energy plants in Missouri—including a nuclear power plant, which UE officials believe offered the best solution for providing reliable, low-cost energy with a reduced carbon footprint. A key element of the legislation, known as CWIP, or construction work in progress, is a funding plan used across the United States to allow utilities to recover financing costs from customers, while building a new plant. Current Missouri law prevents Missouri investor-owned utilities from recovering any plant development costs until an energy plant is operating. This law makes financing a new plant in the current economic environment impossible.

-- more --

Add One

"We salute the strong leadership of the bill sponsors---Senators Delbert Scott and Frank Barnitz and Representatives Ed Emery and Gina Walsh; of individuals like Hugh McVey, of the AFL-CIO; of officials of cooperative and municipal utilities and associations; and of union, civic and environmental leaders who understood the benefits to customers of this legislation. They understood the importance of bringing 3,000 jobs and over \$6 billion in economic benefits, including significant tax revenues, to the state with this clean energy project. We also want to thank the hundreds of people who wrote letters supporting this legislation. These individuals are only some of the many who helped our elected officials understand that this legislation is an essential first step for development of clean energy sources in Missouri."

However, Voss said at this point the legislation does not provide the assurances needed for UE to take on a multi-billion dollar project. "A large plant would be difficult to finance under the best of conditions, but in today's credit constrained markets, without supportive state energy policies, we believe getting financial backing for these projects is impossible," he said. "Pursuing the legislation in its current form will not give us the financial and regulatory certainty we need to complete this project."

"While we are disappointed with the outcome of this legislative initiative, the Missouri Clean and Renewable Energy Construction Act sparked a vigorous debate about energy issues and caused everyone involved to think more deeply about energy policy," added Voss. "That debate has established a foundation for the constructive energy policy discussions we must continue to have with legislators, regulators, customers and other stakeholders to meet the energy needs of our children and grandchildren in decades to come." Energy demand in Missouri has increased 50 percent since 1990 and is projected to grow significantly in the next 20 years.

Voss added that UE has been a vital part of Missouri for over 100 years. "We illuminated the 1904 Worlds Fair. We built Bagnell Dam at the Lake of the Ozarks during the Great Depression, and since 1984, our Callaway Nuclear Plant has provided safe, reliable, affordable clean energy. AmerenUE turned on the power yesterday and today and will always work to keep the power on," he said. "Now, we will continue looking at options for providing the electricity Missourians will need in coming years."

With residential electric retail rates that are approximately 38 percent below the national average, AmerenUE provides electricity and natural gas to 1.2 million customers in Missouri. With assets of approximately \$23 billion, Ameren Corporation (www.ameren.com) serves 2.4 million electric customers and one million natural gas customers in a 64,000-square-mile area of Missouri and Illinois.

#

Forward-looking Statements

Statements in this release not based on historical facts are considered "forward-looking" and, accordingly, involve risks and uncertainties that could cause actual results to differ materially from those discussed. Although such forward-looking statements have been made in good faith and are based on reasonable assumptions, there is no assurance that the expected results will be achieved. These statements include (without limitation) statements as to future expectations, beliefs, plans, strategies, objectives, events, conditions, and financial performance. In connection with the "safe harbor" provisions of the Private Securities Litigation Reform Act of 1995, we are providing this cautionary statement to identify important factors that could cause actual results to differ materially from those anticipated. The following factors, in addition to those discussed elsewhere in this release and in our filings with the Securities and Exchange Commission, could cause actual results to differ materially from management expectations suggested in such forward-looking statements:

- regulatory or legislative actions, including changes in regulatory policies and ratemaking determinations and future rate proceedings or future legislative actions that seek to limit or reverse rate increases;*
- changes in laws and other governmental actions, including monetary and fiscal policies;*
- changes in laws or regulations that adversely affect the ability of electric distribution companies and other purchasers of wholesale electricity to pay their suppliers, including AmerenUE and Ameren Energy Marketing Company;*
- increasing capital expenditure and operating expense requirements and our ability to recover these costs in a timely fashion in light of regulatory lag;*
- prices for power in the Midwest, including forward prices;*
- business and economic conditions, including their impact on interest rates, bad debt expense, and demand for our products;*
- disruptions of the capital markets or other events that make the Ameren companies' access to necessary capital, including short-term credit, impossible, more difficult or costly;*
- our assessment of our liquidity and the effect of regulatory lag on our available liquidity sources;*
- actions of credit rating agencies and the effects of such actions;*
- operation of AmerenUE's nuclear power facility, including planned and unplanned outages, and decommissioning costs;*
- the effects of strategic initiatives, including acquisitions and divestitures;*
- the impact of current environmental regulations on utilities and power generating companies and the expectation that more stringent requirements, including those related to greenhouse gases, will be introduced over time, which could have a negative financial effect; and*
- legal and administrative proceedings.*

Given these uncertainties, undue reliance should not be placed on these forward-looking statements. Except to the extent required by the federal securities laws, we undertake no obligation to update or revise publicly any forward-looking statements to reflect new information or future events.

#

ATTACHMENT 2

AmerenUE
Callaway Plant

Timothy E. Herrmann, P.E.
Vice President-Engineering

PO Box 620
Fulton, MO 65251
573.676.8241
573.676.4056 fax

April 28, 2009

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

ALNRC 00018



**AMERENUE – CALLAWAY PLANT UNIT 2,
NRC Docket No. 52-037
Suspension of Efforts to Build Proposed Nuclear Power Plant**

This letter provides information on developments regarding legislation proposed to revise Missouri law relative to rate recovery of financing costs during power plant construction.

In early 2009 legislation was proposed to revise Missouri law which prevents Missouri investor-owned utilities from recovering any plant development costs, including financing costs until an energy plant is operating. This proposed legislation was entitled the Missouri Clean and Renewable Energy Construction Act (SB228/HB554) and would have allowed regulators to authorize funding mechanisms for construction of clean energy plants in Missouri—including a Callaway Plant Unit 2, which UE officials believe offered the best solution for providing reliable, low-cost energy with a reduced carbon footprint.

On April 23, 2009 AmerenUE announced that they have asked the legislative sponsors to withdraw the bills from consideration by the Missouri General Assembly, citing “the current version of the bill being debated in the Senate strips the legislation of the very provisions we needed most to move forward.” A copy of the press release is attached.

AmerenUE also announced on April 23, 2009 that it was suspending its efforts to build a nuclear power plant in Missouri. AmerenUE requests that the current activities associated with the review of our application under Docket 52-037 be continued while we review our options associated with the license application for a new nuclear unit at Callaway. This review has already commenced. Precipitous steps to place the review of the current application on hold could impact certain of our options which are under consideration. We are sensitive to the fact

ALNRC 00018
April 28, 2009
Page 2

that continuation of the review of our application impacts your resources. We pledge to keep you informed of the status of our internal review in order for us to collectively work best together and assist you in arranging your resources in the review of our and other company's license applications.

We look forward to additional discussions related to this request. I can be reached at 573-676-8241 or THerrmann@ameren.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. E. H.' followed by a long horizontal flourish.

T. E. Herrmann
Vice President, Engineering

TEH/DS/lrd

Attachment: Ameren News Release, April 23, 2009

cc:

Mr. Elmo E. Collins, Jr.
Regional Administrator
U.S. Nuclear Regulatory Commission
Region IV
612 E. Lamar Blvd., Suite 400
Arlington, TX 76011-4125

Senior Resident Inspector
Callaway Resident Office
U.S. Nuclear Regulatory Commission
8201 NRC Road
Steedman, MO 65077

Joseph Colaccino, Chief
U.S. EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors
Joseph.Colaccino@nrc.gov

Surinder Arora, P.E.
Project Manager
U.S. EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors
Surinder.Arora@nrc.gov

Bruce Olson, P.E.
Environmental Project Manager
U.S. EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors
Bruce.Olson@nrc.gov

David Matthews, Director
Division of New Reactor Licensing
Office of New Reactors
David.Matthews@nrc.gov

Project Team/Others Distribution List

File code: A160.5761

May 1, 2009

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	Docket No. 52-037-COL
UNION ELECTRIC COMPANY d/b/a AmerenUE)	
)	
(Callaway Power Plant, Unit 2))	ASLBP No. 09-884-07-COL-BD01
)	
(Combined License))	

CERTIFICATE OF SERVICE

I hereby certify that, on this 1st day of May 2009, a copy of the foregoing “AmerenUE’s Answer Opposing The Missouri Office Of The Public Counsel’s Petition To Intervene In Docket No. 52-037, AmerenUE Callaway 2 Nuclear Power Plant Combined Construction And License Application,” dated May 1, 2009, was provided to the Electronic Information Exchange for service upon the following persons.

Judge G. Paul Bollwerk, III, Chair
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: gpb@nrc.gov

Dr. Richard F. Cole
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: rfcl@nrc.gov

Dr. Jeffrey D.E. Jeffries
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: jeffrey.jeffries@nrc.gov

Office of the Secretary of the Commission
U.S. Nuclear Regulatory Commission
Mail Stop O-16C1
Washington, DC 20555-0001
Attn: Rulemakings and Adjudications Staff
Hearing Docket
E-mail: secy@nrc.gov;
hearingdocket@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop - O-15 D21
Washington, DC 20555-0001
Kathryn Winsberg, Esq.
Ann Hodgdon, Esq.
Adam Gendelman, Esq.
Jessica Bielecki, Esq.
Sara Kirkwood, Esq.
Joseph Gilman, Paralegal
E-mail: klw@nrc.gov; ann.hodgdon@nrc.gov;
adam.gendelman@nrc.gov; jab2@nrc.gov;
jsg1@nrc.gov; seb2@nrc.gov

Noranda Aluminum, Inc.
Finnegan, Conrad & Peterson, L.C.
428 E. Capitol Avenue, Suite 300
Jefferson City, MO 65101
David Woodsmall, Esq.
E-mail: dwoodsmall@fcplaw.com

Noranda Aluminum, Inc.
Brownstein Hyatt Farber Schreck, LLP
410 17th Street, Suite 2200
Denver, CO 80202-4432
Hubert A. Farbes, Jr., Esq.
John A. Helfrich
E-mail: hfarbes@bhfs.com; jhelfrich@bhfs.com

Missourians Against Higher Utility Rates
Brownstein Hyatt Farber Schreck, LLP
410 17th Street, Suite 2200
Denver, CO 80202-4432
Hubert A. Farbes, Jr., Esq.
E-mail: hfarbes@bhfs.com

Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65101
Kevin A. Thompson, General Counsel
Steven Dottheim, Deputy General Counsel
E-mail: kevin.thompson@psc.mo.gov
E-mail: steve.dottheim@psc.mo.gov

Missouri Coalition for the Environment
Great Rivers Environmental Law Center
705 Olive St., Suite 614
St. Louis, MO 63101-2208
Henry B. Robertson, Esq.
E-mail: hrobertson@greatriverslaw.org

Missouri Office of the Public Counsel
P.O. Box 2230
Jefferson City, MO 65102
Lewis Mills, Director
E-mail: Lewis.mills@ded.mo.gov

/Signed (electronically) by Michael G. Lepre/
Michael G. Lepre
PILLSBURY WINTHROP SHAW PITTMAN LLP
2300 N Street, NW
Washington, DC 20037-1128
Telephone: (202) 663-8193
Facsimile: (202) 663-8007
E-mail: michael.lepre@pillsburylaw.com

May 1, 2009

Counsel for Union Electric Company d/b/a AmerenUE