

June 26, 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

**Motion of AmerenUE Requesting Termination of Hearing**

Pursuant to 10 C.F.R. § 2.323(a), Union Electric Company d/b/a AmerenUE (“AmerenUE”) hereby requests that the Board terminate the hearing in the above-captioned proceeding.

This proceeding involves an application (the “COLA”), submitted by AmerenUE on July 24, 2008, for a combined license to construct and operate a new nuclear plant at the site of AmerenUE’s Callaway Power Plant located in Callaway County, Missouri. In AmerenUE’s May 1, 2009 answers to intervention and hearing requests filed in this proceeding, AmerenUE explained to the Board that AmerenUE had announced it was suspending its efforts to build a new nuclear power plant in Missouri. AmerenUE also explained to the Board that it had requested the NRC Staff to continue the current activities associated with the NRC Staff’s review of the COLA, while AmerenUE reviewed its options. AmerenUE pledged to keep the Board informed of the status of that internal review.<sup>1</sup>

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<sup>1</sup> See, e.g., “AmerenUE’s Answer Opposing The Missouri Coalition For The Environment And Missourians For Safe Energy’s Petition To Intervene And Request For Hearing In Callaway Plant Unit 2 Combined Construction And Operating License Application,” (May 1, 2009) at 3.

AmerenUE has now determined that it is in AmerenUE's best interests to suspend review of the COLA, and requested that the NRC Staff suspend all activities relating to the COLA by letter dated June 23, 2009 (a copy of which is attached hereto). Accordingly, AmerenUE requests that the Board terminate the hearing in this proceeding.

Counsel for AmerenUE has contacted counsel for the NRC Staff and petitioners in this proceeding to inform them of this Motion. The Public Service Commission of the State of Missouri, and the Missouri Office of the Public Counsel, have stated that they do not oppose termination of the hearing. The NRC Staff does not oppose termination of the hearing with the understanding that, if the Motion is granted, a new notice of hearing would be required to proceed with the COLA. The Missouri Coalition for the Environment and Missourians for Safe Energy has informed AmerenUE that they will submit an Answer to the Motion, and Missourians Against Higher Utility Rates have not responded.

Respectfully submitted,

/signed electronically by Michael G. Lepre/

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ALNRC 00041

June 23, 2009

U.S. Nuclear Regulatory Commission  
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Subject: AmerenUE, Callaway Plant, Unit 2  
(NRC Docket No. 52-037)  
Request to Suspend Review of COL Application

Reference: ALNRC 00018, dated April 28, 2009 "Suspension of Efforts to  
Build Proposed Nuclear Power Plant"

By letter dated April 28, 2009 (ALNRC 00018), AmerenUE reported its announcement that it was suspending its efforts to build a nuclear power plant in Missouri. In the same letter, AmerenUE requested that the NRC Staff continue the current activities associated with the NRC Staff's review of the application in Docket 52-037 while AmerenUE reviewed its options associated with the license application for the new nuclear unit at the Callaway site. We pledged to keep you informed of the status of the internal review.

At this time, we have determined that it is in AmerenUE's best interests to suspend the review of the Callaway Plant Unit 2 COL Application and request that the NRC Staff suspend all activities relating to the COLA.

We appreciate the efforts of the NRC Staff throughout its review of the application. I can be reached at 573-676-8617 or [AHeflin@ameren.com](mailto:AHeflin@ameren.com). You may also contact Scott Bond at 573-676-8519 or [SBond2@ameren.com](mailto:SBond2@ameren.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Heflin".

Adam C. Heflin  
Senior Vice President and  
Chief Nuclear Officer

ACH/DES/slk

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June 23, 2009

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June 26, 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 )  
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(Callaway Power Plant, Unit 2) ) ASLBP No. 09-884-07-COL-BD01

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 26th day of June 2009, a copy of the foregoing "Motion of AmerenUE Requesting Termination" dated June 26, 2009, was provided to the Electronic Information Exchange for service upon the following persons:

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