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Great Rivers Environmental Law Center Challenges AmerenUE's Confidentiality Claim

When Missouri's biggest electric utility files a 20-year plan, the public has a right to know what's in it. That's the gist of a Motion to Compel Disclosure filed with the Missouri Public Service Commission (PSC) by Great Rivers Environmental Law Center.

AmerenUE filed its Integrated Resource Plan (IRP) on December 5, 2005, as required by PSC regulations. But it classified the entire 3700-page document as "Highly Confidential." The plan is supposed to forecast how electricity demand will grow in Ameren's territory and evaluate how best to meet new demand—with a new nuclear unit, a coal-burning power plant, "pumped storage" like the Taum Sauk site that suffered a reservoir burst shortly before Christmas, or with energy conservation measures and renewable energy sources like wind, solar and biomass.

Great Rivers intervened in the PSC proceeding on behalf of the Sierra Club, Missouri Coalition for the Environment, Mid-Missouri Peaceworks and ACORN. The groups are concerned that Ameren customers will get stuck paying for a costly new power plant. A nuclear plant creates radioactive waste; burning coal creates asthma, cardiac problems, neurotoxic mercury, acid rain and global warming. The four non-profit groups intervened to advocate for efficiency and renewable energy as the cleanest and cheapest options.

"The public needs to know how Ameren's plan will affect their electric rates and the quality of the air they breathe," said Great Rivers staff attorney Henry Robertson. "Right now Ameren will let me see their plan, but only on condition that I don't tell anybody. That's wrong."

The Motion to Compel disclosure acknowledges that the plan may contain legitimate trade secrets, but insists that the burden is on Ameren to identify specifically what parts are truly confidential. "They shouldn't be allowed to slap a 'Highly confidential' label on the whole thing," said Robertson. "Coal, nuclear, energy efficiency programs, pollution control technology—these are all public matters."

Great Rivers is a non-profit, public interest environmental organization in St. Louis that works to promote clean energy, clean air and clean water. Its web address is: www.greatriverslaw.org.