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February 5, 2010

David L. Woodsmall
Finnegan, Conrad & Peterson L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, MO 64111

Re: Objections to MEUA's First Data Requests

Dear David:

This document provides Noranda's Objections to the Midwest Energy Users' Association's ("MEUA") First Data Requests dated January 28, 2010.

GENERAL OBJECTIONS

1. Noranda objects to each data request to the extent that the response sought is overly broad, unduly burdensome, oppressive, and compliance with the request would be cost-prohibitive, impracticable, and/or impossible.
2. Noranda objects to each data request to the extent that the request seeks information that is neither relevant, material nor reasonably calculated to lead to the discovery of admissible evidence in case number ER-2010-0036.
3. Noranda objects to each data request to the extent that the request seeks information and documents protected from discovery by the attorney-client privilege, the attorney work-product doctrine, the common interest privilege, or any other privilege or doctrine. Nothing contained in these Objections is intended as a waiver of any applicable privilege or doctrine.
4. Noranda objects to each data request to the extent the request seeks information that is a trade secret, commercially-sensitive, or confidential financial information, the release of which may be injurious to Noranda.
5. Noranda objects to each request to the extent the request is vague, ambiguous, confusing, or fails to describe the information sought with sufficient clarity or specificity to enable Noranda to provide responsive answers.

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6. Noranda objects to each request to the extent that the request calls for information or documents already in the MEUA's possession or which is readily obtainable from another source that is equally available to MEUA.

7. Noranda objects to each request to the extent that the numerous requests are not truly designed for legitimate discovery but are rather intended for an improper, ulterior purpose. Accordingly, Noranda objects to each data request to the extent that the request causes Noranda undue harassment.

8. These General Objections are applicable to, and incorporated in, each of Noranda's Objections below as if specifically set forth therein. The failure to repeat, renew or reassert any of the General Objections or the assertion of other objections in no way implies a failure to assert each and every General Objection in any way.

SPECIFIC OBJECTIONS

MEUA Data Request-1.1:

Please identify all consultants (including Don Johnstone) retained by Noranda, either individually or through MIEC, for purposes of this case. Include all consultants whether they filed testimony or not in this case.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects to this request to the extent it seeks documents and/or information protected from discovery by the attorney-client privilege, and the attorney work-product doctrine.

Without waiving its objections, Noranda states that it has already identified the consultants retained by Noranda who are offering testimony in this case. See generally Missouri Public Service Commission Docket Sheet, Case No. ER-2010-0036.

MEUA Data Request-1.2:

For all consultants identified in Data Request 1.1, please identify the subject matter for which they were retained.

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Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

Without waiving its objections, Noranda states that it has already identified the subject matter of the testimony for those consultants who were retained by Noranda and who are offering testimony in this case. See generally those documents identified in Missouri Public Service Commission Docket Sheet, Case No. ER-2010-0036.

MEUA Data Request-1.3:

Please provide a copy of all documents, notes, studies, analyses, or emails generated by the consultants identified in Data Request 1.1.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

Without waiving its objections, Noranda states that it has already identified the subject matter of the testimony and related exhibits for those consultants who were retained by Noranda and who are offering testimony in this case. See generally those documents identified in Missouri Public Service Commission Docket Sheet, Case No. ER-2010-0036.

MEUA Data Request-1.4:

Please provide a copy of all class cost of service analyses prepared for Noranda whether generated internally or by a consultant identified in Data Request 1.1.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of

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admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

MEUA Data Request-1.5:

Please provide all class cost of service analyses which support the \$27 / MWH rate discussed on page 6 of Mr. Smith's Direct Testimony.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

MEUA Data Request-1.6:

Please quantify the amount of rate decrease / increase necessary to move Noranda to a \$27 / MWH rate.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

MEUA Data Request-1.7:

Please identify the number of jobs, over and above the 900 employees identified in Mr. Smith's testimony, that will be created if Noranda receives a rate of \$27 / MWH.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of

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admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege. Noranda further objects that the request is speculative.

MEUA Data Request-1.8:

Please identify the incremental amount of payroll or property taxes that will be generated if Noranda receives a rate of \$27 / MWH.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege. Noranda further objects that the request is speculative.

MEUA Data Request-1.9:

Please provide all analyses which support Noranda's claim that it needs a rate "in the range of \$27 / MWH to compete with other aluminum smelters."

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

MEUA Data Request-1.10:

Please define the magnitude of the range referred to in Mr. Smith's testimony when he claims that "Noranda needs a rate in the range of \$27 / MWH."

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of

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admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

MEUA Data Request-1.11:

Please identify the return on equity assumed in the analyses supporting a rate of \$27 / MWH.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege. Without waiving any objections, Noranda will provide a timely response to MEUA-11.

MEUA Data Request-1.12:

What revenues would be generated by the LTS class in the event that Noranda is given a rate of \$27 / MWH.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege. Noranda further objects that the request is speculative.

MEUA Data Request-1.13:

Identify the amount of annual salary and other compensation paid to Mr. Smith and Mr. Skoda in the analyses supporting a rate of \$27 /MWH.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of

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admissible evidence in this action. Noranda further objects that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege. Noranda further objects to this request on the grounds that it is ambiguous, confusing and fails to describe the information sought with sufficient clarity or specificity to enable Noranda to provide responsive answers. Noranda further objects that the requests is not truly designed for legitimate discovery but is rather intended for an improper, ulterior purpose.

MEUA Data Request-1.14:

At his residence, does Mr. Earnheart receive electric service from AmerenUE?

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects on the grounds that the request is not truly designed for legitimate discovery but is rather intended for an improper, ulterior purpose.

MEUA Data Request-1.15: In Exhibit HWF-1 of Mr. Fayne's Direct Testimony, he identifies 12 aluminum smelters in the United States. Please identify the state where each smelter is located and the electric service provider for each smelter.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, to the extent these materials exist, Noranda objects that the data request is not directed to the proper party, as expert witnesses would be better able to provide this information.

MEUA Data Request-1.16:

Please provide a copy of each tariff or contract supporting the rate contained in Exhibit HWF-1.

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Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects to this request on the grounds that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege. Finally, Noranda objects as the request seeks information which is proprietary and confidential.

MEUA Data Request-1.17:

Please identify each smelter in Exhibit HWF-1 that is charged an electric rate that is indexed to the LME.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, to the extent these materials exist, Noranda objects that the data request is not directed to the proper party, as expert witnesses would be better able to provide this information.

MEUA Data Request-1.18:

For each rate on Exhibit HWF-1 that is indexed to the LME, please identify the LME rate that underlies the cost of electricity rate provided in HWF-1. Also please provide on which the LME rate was taken.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, to the extent these materials exist, Noranda objects that the data request is not directed to the proper party, as expert witnesses would be better able to provide this information.

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MEUA Data Request-1.19:

For each smelter in Exhibit HWF-1 that has an electric rate tied to the LME index, please identify whether the electric rate is tied to the rate for: (1) aluminum or (2) aluminum alloy.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that it is overly broad and unduly burdensome. Moreover, Noranda objects on the grounds that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, to the extent these materials exist, Noranda objects that the data request is not directed to the proper party, as expert witnesses would be better able to provide this information.

MEUA Data Request-1.20:

During the January 14 prehearing conference, Mr. Smith indicated that 5 aluminum smelters had closed in the last 2 years. Please identify each of the 5 smelters that were closed, as well as the state in which the smelter was located and the electric service provider for the smelter.

Objection:

In addition to the General Objections, Noranda objects to the extent that the information and materials are privileged pursuant to the privilege that attaches to confidential settlement negotiations. Noranda further objects that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

MEUA Data Request-1.21:

For each of the smelters identified in MEUA Data Request 1.20, please identify the cost of electricity for that smelter.

Objection:

In addition to the General Objections, Noranda objects to the extent that the information and materials are privileged pursuant to the privilege that attaches to confidential settlement negotiations. Noranda further objects that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

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MEUA Data Request-1.22:

Please provide an update on the status of Noranda's initial public offering.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Additionally, Noranda objects on the grounds that the request seeks information that is a trade secret, commercially-sensitive, or confidential financial information, the release of which would be injurious to Noranda. Noranda further objects on the grounds that the request is not truly designed for legitimate discovery but is rather intended for an improper, ulterior purpose.

MEUA Data Request-1.23:

Please identify the number of shares in Noranda held by Mr. Smith as well as the tax basis for those shares.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects on the grounds that the request is not truly designed for legitimate discovery but is rather intended for an improper, ulterior purpose.

MEUA Data Request-1.24:

Please identify the number of share[s] in Noranda held by Mr. Skoda as well as the tax basis for those shares.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects on the grounds that the request is not truly designed for legitimate discovery but is rather intended for an improper, ulterior purpose.

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MEUA Data Request-1.25:

Please identify the extent of any options held by Mr. Smith to purchased shares of Noranda. Please identify the strike price of all options held by Mr. Smith.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects on the grounds that the request is not truly designed for legitimate discovery but is rather intended for an improper, ulterior purpose.

MEUA Data Request-1.26:

Please identify the extent of any options held by Mr. Skoda to purchased shares of Noranda. Please identify the strike price of all options held by Mr. Skoda.

Objection:

In addition to the General Objections, Noranda objects on the grounds that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects on the grounds that the request is not truly designed for legitimate discovery but is rather intended for an improper, ulterior purpose.

MEUA Data Request-1.27:

In the Form S-1 filed by Noranda on January 14, 2010, Noranda claims that “our bauxite mining operation in Jamaica . . . provides a secure source of bauxite to our wholly owned alumina refinery. . . Our alumina refinery provides a strategic supply of alumina to our New Madrid smelter at costs below recent spot market prices for alumina.” Similar to the electric rate comparison contained in Exhibit HWF-1, please provide a comparison between Noranda and its competition for bauxite.

Objection:

In addition to the General Objections, Noranda objects that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, Noranda objects insomuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

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MEUA Data Request-1.28:

Please provide a historical comparison for the past 3 years between the spot market price for alumina and the cost of alumina provided to the New Madrid smelter.

Objection:

In addition to the General Objections, Noranda objects that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

MEUA Data Request-1.29:

In the Form S-1 filed by Noranda on January 14, 2010, Noranda claims “we have a long-term secure power contract at New Madrid that extends through 2020. This contract gives Noranda an advantage over aluminum smelters facing frequent power shortages or disruptions.” Please identify, on a per-smelter basis, the number of instances in which each competing smelter has experienced a power shortage or disruption.

Objection:

In addition to the General Objections, Noranda objects that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

MEUA Data Request-1.30:

Please provide a historical comparison for the past 3 years between the cost of transportation of bauxite for Noranda to the cost for competing refinery/smelters.

Objection:

In addition to the General Objections, Noranda objects that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

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MEUA Data Request-1.31:

In its Form S-1 filed by Noranda on January 14, 2010, Noranda claims to have “an advantageous geographic location” for its downstream businesses. Moreover, Noranda claims that the proximity of Gramercy to St. Ann and New Madrid to Gramercy provide us with an attractive freight cost advantage.” Please provide a historical comparison for the past 3 years between the freight costs of Noranda and the competing smelters identified in HWF-1.

Objection:

In addition to the General Objections, Noranda objects that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

MEUA Data Request-1.32:

Please provide a comparison of the cost of electricity in the event the LME price for aluminum was to increase by **25%** over the LME price contained in HWF-1.

Objection:

In addition to the General Objections, Noranda objects that the request is speculative. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.32:

Please provide a comparison of the cost of electricity in the event the LME price for aluminum was to increase by **50%** over the LME price contained in HWF-1.

Objection:

In addition to the General Objections, Noranda objects that the request is speculative. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.32:

Please provide a comparison of the cost of electricity in the event the LME price for aluminum was to increase by **75%** over the LME price contained in HWF-1.

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Objection:

In addition to the General Objections, Noranda objects that the request is speculative. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.32:

Please provide a comparison of the cost of electricity in the event the LME price for aluminum was to increase by **100%** over the LME price contained in HWF-1.

Objection:

In addition to the General Objections, Noranda objects that the request is speculative. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.33:

Assuming all other factors remained equal, please identify how the initial public offering purchase price would be affected by a reduction in Noranda's cost of electricity from current rates to \$27/MWH.

Objection:

In addition to the General Objections, Noranda objects that the request is speculative. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.34:

Please provide citations to all SEC filings in which Noranda warns that an increase in electric rates threaten the "long-term viability" of Noranda or the New Madrid smelter.

Objection:

In addition to the General Objections, Noranda objects to the extent that the request is overly broad and burdensome. Additionally, Noranda objects on the grounds that MEUA seeks public information which is readily obtainable from another source that is equally available to MEUA. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

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MEUA Data Request-1.35:

For the past three years, please identify all competing smelters which has received a reduction in electric rates that was not a result of indexing to LME.

Objection:

In addition to the General Objections, Noranda objects to the extent that the term “competing” is overly broad and not adequately tailored to produce useful information. Additionally, Noranda objects to the extent that the request is overly broad and burdensome. Furthermore, Noranda objects on the grounds that MEUA seeks public information which is readily obtainable from another source that is equally available to MEUA. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

MEUA Data Request-1.36:

In its Form S-1 filed by Noranda on January 14, 2010, Noranda states that it believes the “medium and long-term supply and demand outlook for aluminum supports sustainable, higher LME prices.” Please define the time period envisioned by: (1) medium and (2) long term.

Objection:

In addition to the General Objections, Noranda objects to the extent that the term “envisioned” is overly broad and not adequately tailored to produce useful information. Without waiving any objections, Noranda will provide a timely response to MEUA-36.

MEUA Data Request-1.37:

Please provide any forecasts, done by Noranda or other entities, as to projected LME prices for: (1) the medium term defined in MEUA Data Request 1.36 and (2) the long term defined in MEUA Data Request-1.36.

Objection:

In addition to the General Objections, Noranda objects that the request is speculative. Without waiving any objections, Noranda will provide a timely response to MEUA-37.

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MEUA Data Request-1.38:

In its Form S-1 filed by Noranda on January 14, 2010, Noranda forecasts a “long-term world-wide increase in the cost of power.” Again, please define the time period envisioned by the phrase “long-term” as well as the projected cost of power at the end of that “long-term” period.

Objection:

In addition to the General Objections, Noranda objects to the extent that the term “envisioned” is overly broad and not adequately tailored to produce useful information. Without waiving any objections, Noranda will provide a timely response to MEUA-38.

MEUA Data Request-1.39:

Please identify the number of shareholders of Noranda or any of its parent holding companies that are residents of Missouri.

Objection:

In addition to the General Objections, Noranda objects to the extent that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.40:

Does Noranda believe that electric rates should be based on cost?

Objection:

In addition to the General Objections, Noranda objects that the request is vague and fails to describe the information sought with sufficient clarity. Furthermore, Noranda objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence.

MEUA Data Request-1.41:

Under what circumstances would Noranda agree that a below-cost rate is appropriate for a particular class or customer?

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Objection:

In addition to the General Objections, Noranda objects that the request is speculative. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.42:

Please identify the individual at Noranda that is most knowledgeable to testify on Noranda's position on class cost of service/rate design.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that the request seeks information that is protected by the attorney-client privilege. Notwithstanding the foregoing objections, and without waiving any rights, Noranda is currently in the process of attempting to locate and compile information and documents responsive to the First Set of Data Requests from MEUA, and these Noranda objections shall not be deemed a waiver of any general or specific objections that are capable of being raised by Noranda in its Responses to these data requests due on February 12, 2010.

MEUA Data Request-1.43:

Please identify all cases (jurisdiction and case number) in which Noranda has advocated for a below cost rate for a particular class or customer.

Objection:

In addition to the General Objections, Noranda objects to the extent that the request is overly broad and burdensome. Furthermore, Noranda objects inasmuch as the likely burden of this discovery outweighs the likely benefit to MEUA.

MEUA Data Request-1.44:

Provide provide (sic) all documents, email or notes within Noranda's control or possession which discuss the arrangement reached between MIEC, its individual members and Noranda regarding Noranda's inclusion in MIEC.

Objection:

In addition to the General Objections, Noranda further objects to this request on the grounds that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-

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product doctrine, the attorney-client privilege, and the common interest privilege. Noranda further objects that the term “arrangement” is overly broad and is not adequately tailored to produce useful information.

MEUA Data Request-1.45:

On a revenue neutral basis, [w]hat is Noranda’s position regarding the appropriate amount of revenues to be collected from the LTS rate schedule?

Objection:

In addition to the General Objections, Noranda objects that the request is speculative. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.46:

Please identify the individual at Noranda that is most knowledgeable regarding any arrangements made between MIEC, its individual members and Noranda regarding the inclusion of Noranda in MIEC.

Objection:

In addition to the General Objections, Noranda objects to this request on the grounds that the request seeks information that is privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege. Moreover, Noranda objects on the grounds that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Noranda further objects that the term “arrangement” is overly broad and is not adequately tailored to produce useful information.

MEUA Data Request-1.47:

Please identify all jurisdictions in which Noranda receives electric service. Please identify the service provider in each jurisdiction from which Noranda takes service.

Objection:

In addition to the General Objections, Noranda objects to the extent that the request is overly broad and burdensome. Moreover, Noranda objects on the grounds that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

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MEUA Data Request-1.48:

Please provide all documents, emails or notes within Noranda's control or possession which discuss the positions to be taken in this case by MIEC or Noranda.

Objection:

In addition to the General Objections, Noranda further objects to this request on the grounds that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

MEUA Data Request-1.49:

Please identify, on a county by county basis, the number of Noranda employees in each of the Missouri counties.

Objection:

In addition to the General Objections, Noranda objects to the extent that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.50:

Please identify, on a county by county basis, the amount of property taxes paid in each of the Missouri counties.

Objection:

In addition to the General Objections, Noranda objects to the extent that the request is overly broad and burdensome. Moreover, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Furthermore, Noranda objects that the likely burden to Noranda of producing this information outweighs the potential benefit to MEUA.

MEUA Data Request-1.51:

Please provide a copy of all CRU documents relied upon by Mr. Fayne in creating Exhibit HWF-1.

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Objection:

In addition to the General Objections, Noranda further objects to this request on the grounds that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege.

MEUA Data Request-1.52:

Please provide a discussion of Mr. Fayne's past experience relative to the rates charged to an aluminum smelter.

Objection:

In addition to the General Objections, Noranda further objects to this request on the grounds that, to the extent that these materials exist, the materials are privileged pursuant to the attorney work-product doctrine, the attorney-client privilege, and the common interest privilege. Additionally, Noranda objects to the extent that this request is duplicative, as this information has already been provided to MEUA.

MEUA Data Request-1.53:

Please identify the budgeted amount of compensation for Mr. Fayne's appearance in this case.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.54:

Please identify the amount of compensation paid to Mr. Fayne through January 6, 2010 (the date of filing of direct testimony).

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

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MEUA Data Request-1.55:

Please identify the budgeted amount of compensation for Mr. Coomes' appearance in this case.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.56:

Please identify the amount of compensation paid to Mr. Coomes through January 6, 2010 (the date of filing of direct testimony).

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.57:

Please identify the budgeted amount of compensation for Mr. Yatchew's appearance in this case.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.58:

Please identify the amount of compensation paid to Mr. Yatchew through January 6, 2010 (the date of filing of direct testimony).

Objection:

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In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.59:

Please identify the budgeted amount of compensation for Mr. Haslag's appearance in this case.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.60:

Please identify the amount of compensation paid to Mr. Haslag through January 6, 2010 (the date of filing of direct testimony).

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.61:

Please identify the amount of additional compensation paid to Mr. Gregston associated with his participation in this case.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.62:

Please identify the amount of additional compensation paid to Mr. Earnheart associated with his participation in this case.

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Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action.

MEUA Data Request-1.63:

Please identify the amount of any bonus compensation due to either Mr. Smith or Mr. Skoda associated with the outcome of this case.

Objection:

In addition to the General Objections, Noranda objects that the request seeks information that is neither relevant, material, nor reasonably calculated to lead to the discovery of admissible evidence in this action. Additionally, Noranda objects to the extent that the request is not truly designed for legitimate discovery but is rather intended for an improper, ulterior purpose.

Noranda reserves the right to revise, correct, add to, or clarify any of the Objections set forth above.

Sincerely,

Diana Vuylsteke
Attorney for Noranda