Exhibit No.:

Issues: Emission Allowances
Witness: Maureen Borkowski
Sponsoring Party: Union Electric Company
Type of Exhibit: Surrebuttal Testimony

Case No.: ER-2007-0002

Date Testimony Prepared: February 27, 2007

## MISSOURI PUBLIC SERVICE COMMISSION

CASE NO. ER-2007-0002

### SURREBUTTAL TESTIMONY

**OF** 

MAUREEN BORKOWSKI

ON

**BEHALF OF** 

UNION ELECTRIC COMPANY d/b/a AmerenUE

St. Louis, Missouri February, 2007

1	SURREBUTTAL TESTIMONY		
2	OF		
3	MAUREEN BORKOWSKI		
4	CASE NO. ER-2007-0002		
5	Q. Please state your name and business address.		
6	A. My name is Maureen Borkowski. My business address is One Ameren		
7	Plaza, 1901 Chouteau Avenue, St. Louis, Missouri 63166-6149.		
8	Q. Are you the same Maureen Borkowski that filed Direct Testimony in		
9	this proceeding?		
10	A. Yes, I am. My background and qualifications are contained in that Direct		
11	Testimony.		
12	Q. What is the purpose of your Surrebuttal Testimony in this		
13	proceeding?		
14	A. I describe two transmission-related cases at the Federal Energy Regulatory		
15	Commission (FERC) which Dynegy had sought to link to the early exercise of options for		
16	emissions allowances that had been sold to Dynegy and my involvement in resolving		
17	those cases with Dynegy in December 2005 and January 2006. I provide this testimony		
18	in response to Office of the Public Counsel witness Ryan Kind's January 31, 2007		
19	Rebuttal Testimony.		
20	Q. What did these FERC cases have to do with AmerenUE emission		
21	allowances?		
22	A. Nothing. However, in December 2005, I was contacted by Michael		
23	Moehn who was discussing an early exercise by Dynegy of emission allowance options		

held by Dynegy. Mr. Moehn indicated that Dynegy's representative had linl	ced th
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- 2 emissions allowance options to Dynegy's desire to resolve the two FERC cases. Because
- 3 the FERC cases involved transmission-related issues for Illinois Power Company d/b/a
- 4 AmerenIP, and were within my area of responsibility, Mr. Moehn contacted me.

### 5 **Q.** What occurred?

- 6 A. I communicated to Mr. Moehn how AmerenIP would be willing to resolve
- 7 those cases and he negotiated a settlement for both of these FERC cases based upon that
- 8 communication which resulted in a settlement agreement with AmerenIP. A copy of the
- 9 settlement agreement with Dynegy relating to these cases is attached as Schedule
- 10 MAB-1.
- 11 Q. Mr. Kind, in his Rebuttal Testimony, suggests that the linkage
- between another case (which he believed was a reactive power case) and the Dynegy
- options was some sort of affiliate abuse. Please comment?
- 14 A. There was certainly no negative impact on AmerenUE as a result of
- 15 AmerenIP settling two transmission cases with Dynegy. In fact, the settlement did not
- result in any benefit to AmerenUE or any detriment to AmerenIP, because AmerenIP
- 17 received a fair settlement at a level that AmerenIP would have accepted and received
- without regard to any considerations relating to the emission allowances.
- 19 Q. Does this conclude your surrebuttal testimony?
- 20 A. Yes.

# SCHEDULE MB-1 HAS BEEN DEEMED HIGHLY CONFIDENTIAL IN ITS ENTIRETY

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Union Electric Company d/b/a AmerenUE for Authority to File Tariffs Increasing Rates for Electric Service Provided to Customers in the Company's Missouri Service Area.	) ) Case No. ER-2007-0002 )			
AFFIDAVIT OF MAUREEN A. BORKOWSKI				
STATE OF MISSOURI )				
CITY OF ST. LOUIS ) ss				
Maureen A. Borkowski, being first duly sworn on her oath, states:				
1. My name is Maureen A. Bor	kowski. I work in the City of St. Louis,			
Missouri, and I am employed by Ameren Services Company as Vice President of				
Transmission.				
2. Attached hereto and made a p	part hereof for all purposes is my Surrebuttal			
Testimony on behalf of Union Electric Company d/b/a AmerenUE consisting of 2				
pages and Schedule MAB-1, all of which have been prepared in written form for				
introduction into evidence in the above-referenced docket.				
3. I hereby swear and affirm that	at my answers contained in the attached			
testimony to the questions therein propounded are true and correct.  Maureen A. Borkowski				
Subscribed and sworn to before me this 27 day of February, 2007.  (May the Court of Notary Public)				
My commission expires: May 19,2009				
CAROLYN J. WOODSTOCK Notary Public - Notary Seal STATE OF MISSOURI Franklin County My Commission Empires: May 19, 2008				