

Notice of Records Deposition announced the deposition of Thomas Voss of Ameren Corporation at 11:00 a.m. on Thursday, September 13, 2012, and further advised, "[t]his is a records deposition and no appearance by Mr. Voss is required. Instead, the document [sic] indicated on the **Subpoena Duces Tecum** addressed to Mr. Voss should be produced for inspection and copying not later than the date and time designated in this notice." The accompanying *Subpoena Duces Tecum* and *Exhibit A* designated certain records of Ameren's Board of Directors for production.

3. Also on Wednesday, September 5, 2012, Staff prepared and served electronically on counsel for Ameren Missouri a *Notice of Telephone Deposition*, which notice announced the deposition by telephone of Mary Hoyt at 10:00 a.m. on Wednesday, September 12, 2012. A true and correct copy of the *Notice of Telephone Deposition* is attached hereto as Exhibit E.

4. On September 10, 2012, counsel for Ameren Missouri filed its *Motion to Quash Notice of Deposition, to Quash Subpoena Duces Tecum, For Protective Order, And For Reconsideration of "Good Cause" Determination Under Rule 4 CSR 240-2.100 and Motion for Expedited Treatment* directed at the *Notice of Records Deposition* and *Subpoena Duces Tecum* referred to in Paragraph 2, above.

5. Also on September 10, 2012, counsel for Ameren Missouri filed its *Motion to Quash Notice of Deposition, For Protective Order and Motion for Expedited Treatment* directed at the *Notice of Telephone Deposition* referred to in Paragraph 3, above.

6. Later on September 10, 2012, the Commission issued its *Order Establishing Time to Respond to Motions to Quash*, requiring Staff to respond to Ameren Missouri's motions by 1:00 p.m. on September 11, 2012. This order did not contemplate, nor did it authorize, any reply by Ameren Missouri to Staff's response.

7. Staff filed its *Staff's Response to Ameren Missouri's Motions to Quash Notices of Deposition, to Quash Subpoena Duces Tecum, For Protective Order, And For Reconsideration of "Good Cause" Determination Under Rule 4 CSR 240-2.100*, at 9:32 a.m., well in advance of the deadline set by the Commission's order.

8. At 1:35 p.m. on Tuesday, September 11, 2012, Ameren Missouri filed a *Reply to Staff's Response* referred to in Paragraph 7, above.

9. The Commission's order of September 10 set a deadline for Staff's response; it did not contemplate or authorize any reply by Ameren Missouri. Staff states that it has been unduly prejudiced by Ameren Missouri's unauthorized reply such that Staff prays that the Commission will either strike it as unauthorized or grant Staff an opportunity to reply in turn, perhaps by 8:00 a.m. on Wednesday, September 12.

10. Under the circumstances, Staff moves for expedited treatment of its *Motion to Strike*.

WHEREFORE, Staff urges the Commission to strike as unauthorized Ameren Missouri's *Reply to Staff's Response to Ameren Missouri's Motions to Quash Notice of Deposition, to Quash Subpoena Duces Tecum, For Protective*

Order, And For Reconsideration of "Good Cause" Determination Under Rule 4 CSR 240-2.100 and Motion for Expedited Treatment, and to grant such other and further relief as is just in the circumstances.

Respectfully submitted,

s/ Kevin A. Thompson
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Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **11th day of September, 2012**, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson