

August 10, 2011

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: STB Ex Parte No. 705; *Competition in the Railroad Industry*

Dear Ms. Brown:

Enclosed please find via e-filing the Verified Statement of Robert K. Neff, Director, Coal Supply for Union Electric Company, an affiliate of Ameren Corporation, in response to BNSF Railway Company's July 25, 2011 filing in this docket.

The Statement is being filed in a Highly Confidential and Public Version pursuant to the Protective Order issued by the Board on June 7, 2011. A copy of the Highly Confidential Version will be served on BNSF's outside counsel of record in this docket.

Pursuant to a decision issued on June 30, 2011, the Board held the record open in this proceeding until July 25, 2011. BNSF's filing was made on the last day of that period so that Ameren could not have responded within the open record timeframe. Ameren submits that no party will be prejudiced by the timing of this response and a response is necessary in the interest of a complete record for this important proceeding.

Please let me know if you have any questions.

Regards,



Sandra L. Brown

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Public Record

PUBLIC VERSION

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Ex Parte No. 705

COMPETITION IN THE RAILROAD INDUSTRY

VERIFIED STATEMENT OF ROBERT K. NEFF

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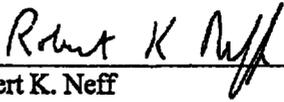
proceeding and did not formally conclude until after Ameren provided testimony at the STB's hearing on June 23, 2011. In light of the ongoing discussions, Ameren did not feel it was appropriate to raise the details of those discussions in a public hearing. In addition, Ameren specifically modified its written and oral testimony submitted June 10 and June 23 respectively, to reflect the 2004 through 2010 timeframe and not include the 2011 ongoing discussions.

Second, when Ameren submitted its comments on April 12, BNSF's proposals in response to the RFP on March 21 and April 11 were not competitive as described in our April 12th Comments. During the intervening time between Ameren's April 12th Comments and the oral testimony by Ameren on June 23, 2011, [[

]] Nevertheless, these facts do not support the statements that BNSF "competed hard for this business." Furthermore, Ameren takes issue with BNSF's assertion that this one current example out of seven years, and which occurred during this proceeding, justifies BNSF's allegation that Ameren was not truthful to the Board, and its implication that Ameren's prior seven year history is not relevant.

VERIFICATION

I, Robert K. Neff, declare under penalty of perjury that the foregoing statement is true and correct and that I am qualified and authorized to file this statement.


Robert K. Neff

Executed: August 10, 2011