

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 15th day
of January, 2020

In the Matter of Union Electric Company d/b/a)
Ameren Missouri's Electric Service Tariff)
Adjustment Relating to MEEIA Rider EEIC)

File No.: ER-2020-0147
Tracking No. YE-2020-0090

**ORDER GRANTING VARIANCE FROM 20 CSR 4240-20.093(4)(B),
SUSPENDING TARIFF SHEETS, AND DIRECTING COMPLIANCE
TARIFF SHEET 91.23 BE FILED**

Issue Date: January 15, 2020

Effective Date: January 15, 2020

On November 22, 2019, Union Electric Company d/b/a Ameren Missouri (Ameren Missouri) filed tariff sheets with supporting testimony proposing to adjust charges related to its approved Missouri Energy Efficiency Investment Act (MEEIA) Rider Energy Efficiency Investment Charge (EEIC). The submitted tariff sheets bear a January 21, 2020 effective date. The Commission issued notice of the filing, set an intervention deadline, and directed the Staff of the Commission (Staff) to submit a recommendation.¹

On December 3 and December 10, 2019, Ameren Missouri filed substitute tariff sheets.² Staff submitted its recommendation on December 20, 2019. The Commission

¹ By Commission Rule 20 CSR 4240-20.093(15)(A), parties to the case in which Ameren Missouri's DSIM was approved, EO-2018-0211, are allowed to participate in this case as parties without filing an application to intervene if they file a notice of intention to participate within the intervention period. The intervention period ended on December 10, 2019. No applications to intervene or notice of intent to participate were filed. Consequently, the only parties to this case are Ameren Missouri, Staff, and the Office of the Public Counsel.

² Tariff Sheet Nos. 91.10, 91.21, and 91.23.

directed responses to Staff's recommendation be filed. In lieu of responses, Ameren Missouri and Staff jointly filed an Initial Stipulation and Agreement on January 7, 2020. Additionally, Ameren Missouri filed a request for waiver of 20 CSR 4240-20.093(4)(B). The Commission ordered any responses or objections to the request for a waiver be filed no later than 10:00 a.m., January 13, 2020. No responses or objections were filed.

Commission rule 20 CSR 4240-20.093(4)(B) regarding adjustment of DSIM rates between general rate proceedings states that if the proposed adjustments are in accordance with the rule, Section 393.1075, RSMo, and the previously approved DSIM, the Commission shall either issue an order approving the tariff sheets within sixty days after the tariff sheets are filed or allow the tariff sheets to take effect on the sixtieth day. If the proposed adjustments are not in accordance with the rule, Section 393.1075, RSMo, and the previously approved DSIM, the rule allows the Commission to reject the tariff sheets and order the filing of interim tariff sheets.³

Ameren Missouri and Staff are in agreement that each of the tariff sheets filed as Tariff Tracking No. YE-2020-0090 as substituted on December 3, 2019, and December 10, 2019, should become effective, with the exception of Tariff Sheet No. 91.23. The unopposed Initial Stipulation and Agreement provides that Tariff Sheet 91.23 as substituted on December 10, 2019, should not become effective, but that a Tariff Sheet 91.23 similar to the one attached to the agreement should become effective on February 1, 2020. The Commission determines it should suspend Tariff Tracking No. YE-2020-0090 for a brief period from its January 21, 2020 effective date until February 1, 2020. This suspension will allow time for the Commission to consider the

³ 20 CSR 4240-20.093(4)(B).

Initial Stipulation and Agreement and for the agreed-to Tariff Sheet 91.23 to be filed as a substitute with an appropriate effective date.

Commission rule 20 CSR 4240-20.093(14) allows the Commission to grant a variance from the provisions of the DSIM rules upon request and for good cause. Ameren Missouri has requested that the Commission grant a variance from the provisions requiring the Commission to make its decision in a 60-day timeframe. Good cause to extend the 60-day time period for a Commission decision exists because Ameren Missouri and Staff have been working diligently to arrive at the correct methodology for determining the rebasing adjustment (a new issue not previously dealt with in these types of proceedings), but have been unable to reach a permanent agreement to present to the Commission in the 60-day time period set out in the rule. Additionally, even though all the tariff sheets were originally to take effect on the sixtieth day after filing (January 21, 2020), the provisions within those tariff sheets including the rate adjustments are not applicable until February 1, 2020. Therefore, the Commission finds good cause to grant a variance from the 60-day time period of 20 CSR 4240-20.093(4)(B) for a Commission decision. Because this is an interlocutory order, not subject to appeal, it will be made effective when issued.

THE COMMISSION ORDERS THAT:

1. The tariff sheets filed on November 22, 2019, as substituted, (Tariff Tracking No. YE-2020-0090) are suspended from January 21, 2020, to February 1, 2020. The tariff sheets suspended are:

PSC Mo. No. 6

5th Revised Sheet No. 90, Cancelling 4th Revised Sheet No. 90
3rd Revised Sheet No. 90.1, Cancelling 2nd Revised Sheet No. 90.1
2nd Revised Sheet No. 90.2, Cancelling 1st Revised Sheet No. 90.2
2nd Revised Sheet No. 90.3, Cancelling 1st Revised Sheet No. 90.3
3rd Revised Sheet No. 90.4, Cancelling 2nd Revised Sheet No. 90.4
2nd Revised Sheet No. 91.1, Cancelling 1st Revised Sheet No. 91.1
6th Revised Sheet No. 91.11, Cancelling 5th Revised Sheet 91.11
1st Revised Sheet No. 91.13, Cancelling Original Sheet No. 91.13
2nd Revised Sheet No. 91.22, Cancelling 1st Revised Sheet No. 91.22
Original Sheet No. 91.23

2. Union Electric Company d/b/a Ameren Missouri shall file substitute compliance tariff sheets no later than 10:00 a.m. on January 20, 2020.

3. The Request for Waiver filed by Union Electric Company d/b/a Ameren Missouri requesting a variance from the requirement of 20 CSR 4240-20.093(4)(B) for a decision of the Commission on its original tariff filing no later than 60 days from the date of the tariff filing is granted.

4. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, and
Coleman, CC., concur.

Dippell, Senior Regulatory Law Judge