

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Union Electric Company)	<u>File No. ER-2022-0337</u>
d/b/a Ameren Missouri's Tariffs to Adjust)	Tracking No. YE-2023-0222
its Revenues for Electric Service)	Tracking No. YE-2023-0227

STAFF RECOMMENDATION AND RESPONSE TO COMMISSION ORDERS

COMES NOW Staff of the Missouri Public Service Commission and for this Staff Recommendation and Response to Commission Orders respectfully states as follows:

1. On June 19, 2023, Union Electric Company d/b/a/ Ameren Missouri (Ameren Missouri) filed tariff sheets designated as Tariff Tracking No. YE-2023-0222. Subsequently, Ameren Missouri submitted substitute tariff sheets to that tariff submission at approximately 10:40 am on June 22, 2023, and further substitutes on June 22, 2023 at approximately 2:29 pm. Ameren Missouri also made a supplemental tariff submission, YE-2023-0227, on June 22, 2023.

2. On June 23, 2023, Staff submitted its *Recommendation and Response to Commission Orders*, supported by accompanying affidavits, that the Technical Staff had reviewed the tariff sheets designated Tracking No. YE-2023-0222 submitted on June 19, 2023, and those substituted and further substituted on June 22, 2023, and the tariff sheets designated Tracking No. YE-2023-0227 on June 22, 2023, and recommended that those sheets be approved for service on and after July 1, 2023, in reasonable compliance with the Commission's Report and Order dated June 14, 2023, effective June 24, 2023. Staff noted that the rates reflected in those tariff sheets reflected the allocation of revenue requirement to the classes as ordered by the Commission, modified consistent with the provisions of Section 393.1655.6, RSMo, providing that any

rate increase for the LPS class in excess of two percent shall be applied to all other customer classes by a uniform percentage adjustment. The date used for the calculation of the LPS cap was July 1, 2023.

3. On June 26, 2023, the Commission directed Ameren Missouri to prepare and file in docket ER-2022-0337 – not in a tariff submission – exemplar tariff sheets bearing rates reflecting application of the LPS cap calculated as of July 9, 2023. The Commission further directed Staff to review the exemplar tariff sheets and provide a recommendation about Ameren Missouri’s tariff sheets no later than June 27, 2023.

4. On June 26, 2023, Technical Staff collaborated with Ameren Missouri to develop the compliance rate values reflecting a reasonable proof of revenue based on the stipulated billing determinants, ordered language, and the statutory LPS cap calculated as of July 9, 2023.

5. Technical Staff has reviewed the specific exemplar tariff sheets filed in docket ER-2022-0337 listed below.¹ Staff has not reviewed any other exemplar tariff sheets provided in the Ameren Missouri June 26, 2023 filing. It appears that Ameren Missouri has submitted the pdf documents in its tariff submissions and in its June 26, 2023 filing either accidentally or intentionally with embedded fonts without a lookup table of their corresponding Unicode values,² and with inclusion of a watermark. Staff attempted to modify the underlying files for efficient comparison of all tariff sheets included in Ameren Missouri’s June 26, 2023, exemplar filing for approximately two and

¹ This process was complicated by Ameren Missouri’s inclusion in the exemplar tariff filing of sheets that did not include rate elements that could be modified by changes to the LPS rate cap, and by inclusion of a watermark on each sheet in the exemplar tariff filing. Note, Staff will not rely on redlines provided by the filing utility, as tariffs bear the force and effect of law and Staff is ethically obligated to ensure to the fullest extent possible that any modifications to tariff content – whether intentional, inadvertent, or typographical – are in compliance with relevant orders and statutes.

² Technical Staff understands from conversations with PSC Information Services that a requirement to upload PDFs to be PDF/A Compliant could be expected to resolve this issue in future tariff submissions.

a half hours, but abandoned this effort in light of the ordered filing date for this recommendation.

6. Staff recommends that if the Commission is to effectuate a July 1, 2023 rate increase effective date for Ameren Missouri, it enter an order consistent with Staff's *June 23, 2023 Recommendation and Response to Commission Orders*.

7. Staff recommends that if the Commission is to effectuate a July 9, 2023 rate increase effective date for Ameren Missouri, it enter an order directing Ameren Missouri to substitute the relevant tariff sheets in its tariff submissions Tracking No. YE-2023-0222 and Tracking No. YE-2023-0227 as reflected in the exemplar tariff sheets filed on June 26, 2023. Staff respectfully requests it be afforded sufficient time to complete any further tariff review required in this matter, which generally varies with the number of tariff sheets requiring review.

The tariff sheets containing rate values are listed below. Given the relatively small change in the LPS cap to be redistributed if that cap is calculated as of July 9, 2023 rather than July 1, 2023, not all rate elements change. The tariff sheets bearing rates that do not differ from those previously recommended for approval with a July 1, 2023 effective date to a July 9, 2023 effective date are indicated with an asterisk. Only the tariff sheets listed below and not marked with an asterisk would require substitution in the relevant tariff submission tracking number (Tracking No. YE-2023-0222) to effectuate a rate effective date of July 9, 2023.

6th Revised Sheet No. 54 canceling 5th Revised Sheet No. 54
4th Revised Sheet No. 54.3 canceling 3rd Revised Sheet No. 54.3
4th Revised Sheet No. 54.4 canceling 3rd Revised Sheet No. 54.4
2nd Revised Sheet No. 54.7 canceling 1st Revised Sheet No. 54.7
2nd Revised Sheet No. 54.10 canceling 1st Revised Sheet No. 54.10
2nd Revised Sheet No. 54.13 canceling 1st Revised Sheet No. 54.13

6th Revised Sheet No. 55 canceling 5th Revised Sheet No. 55
6th Revised Sheet No. 56 canceling 5th Revised Sheet No. 56
6th Revised Sheet No. 57 canceling 5th Revised Sheet No. 57
7th Revised Sheet No. 58 canceling 6th Revised Sheet No. 58
7th Revised Sheet No. 58.1 canceling 6th Revised Sheet No. 58.1
7th Revised Sheet No. 59 canceling 6th Revised Sheet No. 59
2nd Revised Sheet No. 59.4 canceling 1st Revised Sheet No. 59.4
6th Revised Sheet No. 61 canceling 5th Revised Sheet No. 61
6th Revised Sheet No. 63 canceling 5th Revised Sheet No. 63
4th Revised Sheet No. 89.4 canceling 3rd Revised Sheet No. 89.4*
3rd Revised Sheet No. 91.19 canceling 2nd Revised Sheet No. 91.19
3rd Revised Sheet No. 91.20 canceling 2nd Revised Sheet No. 91.20
4th Revised Sheet No. 92.3 canceling 3rd Revised Sheet No. 92.3
2nd Revised Sheet No. 158.4 canceling 1st Revised Sheet No. 158.4*

WHEREFORE Staff respectfully provides this response to the Commission order of June 26, 2023.

Respectfully submitted,

/s/ Jeffrey A. Keevil

Jeffrey A. Keevil
Deputy Counsel
Missouri Bar No. 33825

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 27th day of June 2023.

/s/ Jeffrey A. Keevil

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OF THE STATE OF MISSOURI

In the Matter of Union Electric Company)
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Its Revenues for Electric Service) Case No. ER-2022-0337

AFFIDAVIT OF SARAH L.K. LANGE

STATE OF MISSOURI)
)
COUNTY OF COLE) ss.

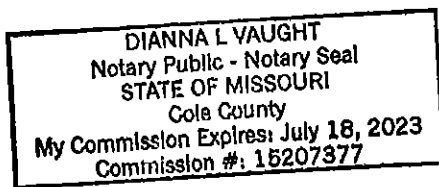
COMES NOW SARAH L.K. LANGE and on her oath declares that she is of sound mind and lawful age; that she contributed to the foregoing *Staff Recommendation*; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.

Sarah L.K. Lange
SARAH L.K. LANGE

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 27th day of June, 2023.



Dianna L. Vaught
Notary Public

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Union Electric Company)
d/b/a Ameren Missouri's Tariffs to Adjust)
Its Revenues for Electric Service) Case No. ER-2022-0337

AFFIDAVIT OF HARI K. POUDEL, PhD

STATE OF MISSOURI)
)
COUNTY OF COLE) ss.

COMES NOW HARI K. POUDEL, PhD and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Staff Recommendation*; and that the same is true and correct according to his best knowledge and belief.

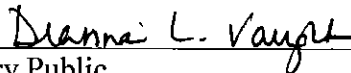
Further the Affiant sayeth not.



HARI K. POUDEL, PhD

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 27th day of June, 2023.



Notary Public

DIANNA L VAUGHT
Notary Public - Notary Seal
STATE OF MISSOURI
Cole County
My Commission Expires: July 18, 2023
Commission #: 15207377