

In the Matter of:

UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI's TARIFFS, etc.

ER-2021-0240;GR-2021-0241, VOL. XII

December 15, 2021



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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

On-the-Record Presentation

December 15, 2021

Jefferson City, Missouri

WebEx

Volume 12

In the Matter of Union Electric)
Company d/b/a Ameren Missouri's)File No. ER-2021-0240
Tariffs to Adjust its Revenues)
for Electric Service)

In the Matter of Union Electric)
Company d/b/a Ameren Missouri's)File No. GR-2021-0241
Tariffs to Adjust its Revenues)
for Natural Gas Service)

MORRIS L. WOODRUFF, Presiding
CHIEF REGULATORY LAW JUDGE

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SCOTT T. RUPP,
MAIDA J. COLEMAN,
GLEN KOLKMEYER,
COMMISSIONERS

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1 (December 15, 2021)

2 JUDGE WOODRUFF: Okay. Let's go ahead and get
3 started then. First of all, we're on the record. This
4 is the Matter of Union Electric Company d/b/a Ameren
5 Missouri's Tariffs to Adjust Its Revenues for Electric
6 Service, which is ER-2021-0240, and also its Tariffs to
7 Adjust Its Revenues for Gas Service, which is Case No.
8 GR-2021-0241.

9 We're here today for an on-the-record
10 proceeding regarding four different stipulations and
11 agreements that have been filed in this case, and this
12 is a chance for the Commissioners to ask questions and
13 for the parties to explain what was intended by the
14 stipulation and agreements and anything else they want
15 to bring to the Commission's attention.

16 We'll begin by taking entries of appearance
17 beginning for Ameren Missouri?

18 MR. LOWERY: Good morning, Your Honor. James
19 B. Lowery appearing on behalf of Ameren Missouri. My
20 contact information is in the docket. Thank you.

21 JUDGE WOODRUFF: Thank you. And for Staff?

22 MR. STOKES: On behalf of Staff, we have Curt
23 Stokes and Jamie Myers.

24 MR. LOWERY: Your Honor, we've got a couple
25 other Ameren attorneys on as well to enter their

1 appearances for Union Electric.

2 JUDGE WOODRUFF: Okay.

3 MS. TATRO: Good morning. This is Wendy Tatro
4 with Ameren Missouri, 1901 Chouteau Avenue, St. Louis,
5 Missouri, 63103, and I also have with me Jermaine
6 Grubbs.

7 JUDGE WOODRUFF: Thank you. For Public
8 Counsel?

9 MR. POSTON: Marc Poston from the Office of
10 the Public Counsel.

11 JUDGE WOODRUFF: For MEEG?

12 MR. WOODSMALL: Good morning, Your Honor.
13 David Woodsmall on behalf of Midwest Energy Consumers
14 Group.

15 JUDGE WOODRUFF: And for MIEC? For MIEC?

16 MS. PLESCIA: I'm sorry about that. I had a
17 little trouble with my mute button. Diana Plescia for
18 the Missouri Industrial Energy Consumers.

19 JUDGE WOODRUFF: And for Legal Services of
20 Eastern Missouri?

21 MR. BARRS: Thank you, Your Honor. Paul Barrs
22 for Legal Services of Eastern Missouri.

23 JUDGE WOODRUFF: And for Consumers Council?
24 Anyone here for Consumers Council? I assume not. For
25 Renew Missouri?

1 MR. OPITZ: Morning, Judge. Tim Opitz for
2 Renew Missouri.

3 JUDGE WOODRUFF: And are there any attorneys
4 who are parties that I've missed?

5 MR. BROWNLEE: Judge, School Boards'
6 Association.

7 JUDGE WOODRUFF: I'm sorry. Yes, for School
8 Boards' Association?

9 MR. BROWNLEE: Richard Brownlee on behalf of
10 the Missouri School Boards' Association, and with me is
11 Louie Ervin II in case there would be question. He is a
12 non-attorney but will be participating in the call if
13 required. Thank you.

14 JUDGE WOODRUFF: All right then.

15 MS. RUBENSTEIN: This is Sarah Rubenstein,
16 sorry to interrupt, here on behalf of Sierra Club and
17 NRDC. Also on the line for those two parties is Bruce
18 Morrison.

19 JUDGE WOODRUFF: Okay. As I indicated
20 earlier, there are four stipulations and agreements
21 before us today. I propose to go ahead and start with
22 the gas one, and the first one would be the Unanimous
23 Stipulation and Agreement that was filed on December 3.

24 I'll start with Ameren Missouri. Is there
25 anything you'd like to inform the Commission about this

1 stipulation and agreement before we start taking
2 questions?

3 MR. LOWERY: Your Honor, briefly I can just
4 give an overview. There's two stipulations and
5 agreements in the gas case. The first one essentially
6 resolves the entire case except for one issue involving
7 MSBA, Missouri School Boards' Association. It reflects
8 the parties' agreement that a \$5 million annual revenue
9 requirement increase is necessary to result in just and
10 reasonable rates. It establishes a weather
11 normalization adjustment rider which is essentially
12 identical or very close to identical to the one the
13 Commission approved for Spire a few weeks ago, and it
14 also reflects both an expansion of funding levels and an
15 expansion of programs designed to provide assistance to
16 the Company's low income customers. So those are
17 probably the most salient points of the main gas
18 stipulation. It was unanimous or treated as such among
19 the parties.

20 As I mentioned, there's a second stipulation
21 that involves the Company, the Staff and MSBA, but it's
22 also treated as unanimous because there were no
23 objections to it. And all it does is continue and tweak
24 I guess I would say a Pilot Program for MSBA member
25 transportation customers that was established in 2019 in

1 the Company's last gas case.

2 I should also mention, Your Honor, just so
3 that the Commission knows, with me today, of course, are
4 Ms. Tatro and Ms. Grubbs but also Tom Byrne, the
5 Company's Senior Director of Regulatory Affairs, Steve
6 Wills, the Director of Rates and Tariffs, Mitch
7 Lansford, the Director of Regulatory Accounting and also
8 the Manager of our Gas Supply, Tim Eggers, that also can
9 answer questions if the Commission has them and the
10 counsel can't answer them.

11 JUDGE WOODRUFF: Okay. Anything Staff wants
12 to address about these stipulations and agreements for
13 the gas side?

14 MS. MYERS: Good morning, Judge. This is
15 Jamie Myers on behalf of Staff. As Mr. Lowery stated,
16 there were two settlement agreements in the gas case
17 that resolves the gas case in its entirety. Staff was a
18 signatory to both of those agreements. We believe that
19 those agreements result in a reasonable resolution of
20 all the issues in this case. And with me I have several
21 other Staff members here if there are specific
22 questions. We'll do our best to answer any questions
23 that the Commission may have.

24 JUDGE WOODRUFF: Thank you. Public Counsel?

25 MR. POSTON: Yes, thank you. Public Counsel

1 did also sign the Unanimous Stipulation and Agreement.
2 We believe that a reasonable resolution of the issues --
3 and were not involved in the School Board agreement.

4 THE COURT REPORTER: I'm sorry. I'm sorry,
5 Mr. Poston, I can't hear you very well. Could you start
6 again, please?

7 MR. POSTON: I just was saying that we believe
8 the Unanimous Stipulation and Agreement is a reasonable
9 resolution. Thank you.

10 JUDGE WOODRUFF: Thank you. MECG?

11 MR. WOODSMALL: Nothing to add, Your Honor.
12 Thank you.

13 JUDGE WOODRUFF: MIEC?

14 MS. PLESCIA: We also believe it's a
15 reasonable resolution.

16 JUDGE WOODRUFF: Legal Services?

17 MR. BARRS: Nothing to add.

18 JUDGE WOODRUFF: Anyone here from Consumer
19 Council now? Renew Missouri?

20 MR. OPITZ: Support the stipulations. Thank
21 you, Judge.

22 JUDGE WOODRUFF: For the School Boards'
23 Association?

24 MR. BROWNLEE: Yes. Richard Brownlee. Thank
25 you. Very briefly and I concur with everything that's

1 been said by Mr. Lowery. The Pilot does continue.
2 Staff and the Company and School Board worked on that,
3 and we believe it's a reasonable and good solution. I
4 did want to just for the record point out that Missouri
5 Schools operate uniquely under statute Section 393.310
6 which was passed in 2002 that dealt -- essentially
7 allowed an aggregate purchasing by schools, it created
8 certain limitations for the utilities, and in summary it
9 also said not have any negative financial impact on the
10 utilities, other customers or local taxing, and we
11 believe this stipulation does, in fact, meet the
12 grounds, at least the written grounds of that particular
13 statute.

14 And again, I mentioned before, I think if
15 there are any technical questions from anybody that
16 would be available Louie Ervin II would stand for those.
17 Thank you.

18 JUDGE WOODRUFF: Thank you. Sierra Club and
19 NRDC?

20 MS. RUBENSTEIN: Your Honor, Sierra Club and
21 NRDC were not parties to that case.

22 JUDGE WOODRUFF: I'm sorry, yes. Okay. Very
23 good. We'll move on to questions from the
24 Commissioners. I'm not sure which Commissioners are
25 here. I'll ask Chairman Silvey, are you there?

1 Commissioner Rupp, did you have any questions?

2 Commissioner Coleman? Commissioner Holsman?

3 Commissioner Kolkmeyer?

4 JUDGE WOODRUFF: All right. Appears that
5 there are no questions from the Commissioners. I have
6 no questions. So we'll move on to the electric
7 stipulations and agreements, and again there were two of
8 those. We'll begin again with Ameren Missouri.
9 Anything you want to indicate about those stipulations
10 and agreements?

11 MR. LOWERY: Just very briefly, Your Honor.
12 There are also two stipulations in the electric case.
13 The first one is I would call it the main revenue
14 requirement stipulation. It reflects agreement that a
15 \$220 million annual revenue requirement increase is
16 appropriate to establish just and reasonable rates. It
17 addresses the billing determinants that will be used to
18 set rates, establish its net base energy cost to track
19 against the fuel adjustment clause and addresses the
20 retirement of the Meramec Energy Center that will happen
21 next year. It also reflects expansion of both the
22 funding levels and of the scope of programs designed to
23 help low income customers.

24 The second stipulation resolved most rate
25 design issues in the case. Both of these stipulations

1 are unanimous or are treated as such, and as you know we
2 had a partial day hearing last week. There are a few
3 rate design issues left for Commission decision, but
4 probably 90 percent of the case or close to it has been
5 resolved by those stipulations.

6 JUDGE WOODRUFF: Anything from Staff?

7 MR. STOKES: Good morning, Your Honor. Curt
8 Stokes on behalf of Staff. We concur with Ameren. We
9 agree that this stipulation results in just and
10 reasonable rates. As far as resolving 90 percent of
11 issues, you know, back-of-the-envelope math, we agree
12 taking the eight gas only issues out of the case, 76
13 issues and subissues were resolved by this leaving only
14 9 subissues for hearing. So we do support and think the
15 Commission should adopt the stipulation. Thank you.

16 JUDGE WOODRUFF: Public Counsel?

17 MR. POSTON: Thank you. OPC supports the
18 revenue requirement settlement, and we ask the
19 Commission order its terms be followed. We were not
20 party to the other stipulation.

21 JUDGE WOODRUFF: Okay. For MECG?

22 MR. WOODSMALL: Very briefly, Your Honor.
23 David Woodsmall for MECG. In addition to all of the
24 issues addressed by Mr. Lowery and Mr. Stokes, there was
25 one issue addressed in the testimony of MECG that is

1 provision 25, the Green Button issue. Green Button is a
2 protocol for large customers to be able to access their
3 individual billing data. It was an important issue to
4 us. This resolves it. It sets a timeline for when
5 Ameren will be able to provide that protocol, and it's a
6 provision that we believe is reasonable and should be
7 adopted. Thank you.

8 JUDGE WOODRUFF: Thank you. For MIEC?

9 MS. PLESCIA: The MIEC finds the stipulation
10 to be reasonable.

11 JUDGE WOODRUFF: For Legal Services?

12 MR. BARRS: With respect to the first
13 stipulation, we signed on to that and we think that the
14 resolution of the low income issues was appropriate. We
15 were not a party to the second stipulation.

16 JUDGE WOODRUFF: Okay. Renew Missouri?

17 MR. OPITZ: Thank you, Judge. Renew Missouri
18 supports both the stipulations and asks the Commission
19 to approve them.

20 JUDGE WOODRUFF: Sierra Club and NRDC?

21 MS. RUBENSTEIN: Sierra Club did not oppose
22 either stipulation but did not sign on. NRDC signed on
23 to the first one but did not oppose the second.

24 JUDGE WOODRUFF: Very good. School Boards,
25 you're not a party on the electric. If you have

1 anything to say, you're welcome.

2 MR. BROWNLEE: We're not involved in the
3 electric case. Thank you.

4 JUDGE WOODRUFF: Then we'll go on to questions
5 from the Commissioners. Chairman Silvey?

6 CHAIRMAN SILVEY: Thank you, Judge. I do have
7 a question about the High Prairie Energy Center. Does
8 the settlement make any adjustment to plant because of
9 the reduction in hours that High Prairie is available to
10 run?

11 MR. LOWERY: It does not, Your Honor.

12 CHAIRMAN SILVEY: Thank you.

13 MR. WOODSMALL: Your Honor, this is David
14 Woodsmall. The issue of High Prairie and the rate base
15 is just black box. So there is no finding whether High
16 Prairie is in rate base or out of rate base. It makes
17 no adjustment. It just settles that for purposes of
18 this case. I don't believe there is either explicitly
19 or implicitly any type of finding regarding High
20 Prairie.

21 CHAIRMAN SILVEY: Okay. And then on page 5 of
22 the agreement it states that Ameren will take the
23 actions listed on pages 204 to 206 of Staff's Direct
24 Cost of Service Report. Does this include all of the
25 requests beginning on page 2 of 4, and then what is

1 meant by the reference on page 204 for lines 34 to 36?

2 MR. LOWERY: Commissioner, this is Jim Lowery.
3 There were probably, and I would have to pull up the
4 Staff Report to specifically answer all of your specific
5 questions, but there were probably I'm going to
6 guesstimate 20 or 25, maybe not that many, but 15 or 20
7 different bulleted items that Staff had recommended. In
8 rebuttal testimony, we agreed to I would say 80 or 90
9 percent of them and there were a handful or less that we
10 either thought were inappropriate or inapplicable that
11 we didn't agree with. In surrebuttal testimony, Staff
12 agreed with our agreement. So we were on the same page
13 in terms of exactly what information and reporting Staff
14 and the Company thought was appropriate and the
15 stipulation reflects that.

16 Instead of listing, because it would have been
17 two or three pages of exactly the specifics, we just
18 referenced the provisions of the Staff Report that had
19 been agreed upon between the Company and the Staff. It
20 would take me a few minutes honestly to parse through
21 the Staff Report to try to walk through, and I can
22 certainly get it and do that if you'd like to do that,
23 but to walk through exactly which ones we both agreed
24 weren't necessary.

25 CHAIRMAN SILVEY: Okay. Thank you.

1 MR. LOWERY: There was no disagreement between
2 Staff and the Company about them, and no other party
3 weighed in either of having any disagreement about where
4 we landed.

5 CHAIRMAN SILVEY: Okay. Thank you. Thank
6 you, Judge.

7 JUDGE WOODRUFF: Thank you. Commissioner
8 Rupp?

9 COMMISSIONER RUPP: Thank you. Yeah, I just
10 have one quick question on the second stipulation. So
11 there's a provision in there where small general service
12 customers have the option to switch to TOU rates when
13 they receive an AMI meter. Is that just one specific
14 TOU rate or do they get to pick from the optional TOU
15 rates that Ameren offers everyone else?

16 MR. LOWERY: I'm going to ask Ms. Grubbs or
17 Mr. Wills to address that question, Commissioner.

18 MR. WILLS: This is Steve Wills. There's one
19 particular rate.

20 JUDGE WOODRUFF: Mr. Wills, before you answer,
21 I'll go ahead and swear you in as a witness.

22 MR. WILLS: I'm sorry. Okay. Sure.

23 (Steve Wills was sworn by Judge Woodruff.)

24 JUDGE WOODRUFF: You may proceed.

25 MR. WILLS: Thank you. Commissioner, there's

1 one particular rate that is made available to the SGS
2 class through that. It really arose from the 2019 case
3 stipulation. We had agreed in that case that the rate
4 that we called the Overnight Savers for residential
5 customers and, you know, we had originally proposed it
6 as being a potential solution for electric vehicle
7 charging in home to, you know, receive a time of use
8 option to encourage charging overnight. And in the 2019
9 stipulation we had agreed to propose a similar rate for
10 the 2(M) class. I think largely the thought there was
11 that some of the multi-family residential properties
12 might have 2(M) accounts where residential customers
13 would be charging electric vehicles potentially. So it
14 extends that rate that we call Overnight Savers on the
15 residential side in very similar form to the 2(M)
16 classification. That's the only time of use option that
17 it creates on the 2(M) side.

18 COMMISSIONER RUPP: Okay. Hey, I appreciate
19 the clarification. Thank you much.

20 MR. WILLS: Thank you.

21 JUDGE WOODRUFF: Commissioner Coleman?
22 Commissioner Coleman? Commissioner Kolkmeyer?

23 COMMISSIONER KOLKMEYER: No questions, Your
24 Honor.

25 JUDGE WOODRUFF: Thank you very much. I

1 believe that takes care of all the stipulations and
2 agreements then. Anything else from any of the
3 Commissioners? All right. Well, with that then we've
4 accomplished our mission for today and we are adjourned.
5 Thank you all very much for coming.

6 (Off the record.)
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