

In the Matter of Union Electric Company (d/b/a: Ameren Missouri's Tariffs)

Public Service Commission - Public Hearing

February 01, 2023

Vol 01

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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

Wednesday, February 1, 2023
6:16 p.m. - 6:33 p.m.

Governor Office Building
200 Madison Street
Room 310
Jefferson City, MO 65101
and WebEx

VOLUME 1
Pages 1 - 19

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

JOHN CLARK, Presiding
SENIOR REGULATORY LAW JUDGE

SCOTT T. RUPP, Chairman
MAIDA J. COLEMAN, Commissioner
JASON R. HOLSMAN, Commissioner
GLEN KOLKMEYER, Commissioner

Stenographically Reported By:
Beverly Jean Bentch, RPR, CCR No. 640

Job No.: 289296

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1 The following proceedings began at 6:16 p.m.:

2 JUDGE CLARK: Why don't we go ahead and go on
3 the record. Good evening. It's February 1st of 2023,
4 and the current time is 6:16 p.m. The question and
5 answer portion of the hearing just ended. If you had
6 questions about this rate case, I hope you were able to
7 get answers to those.

8 Now, the Missouri Public Service Commission
9 has set aside this time for a local public hearing in
10 File Number No. ER-2022-0337, a general rate case which
11 is captioned as In the Matter of Union Electric Company
12 d/b/a as Ameren Missouri's Tariffs to Adjust its
13 Revenues for Electric Service.

14 My name is John Clark, and I'm the Regulatory
15 Law Judge overseeing this hearing this evening. Now,
16 the Missouri Public Service Commission regulates the
17 rates charged by investor-owned utility companies in
18 Missouri to ensure that those rates are just and
19 reasonable. The Commission also regulates the quality
20 of service and the safety of operations of
21 investor-owned utilities.

22 Now, the Commission is made up of five
23 Commissioners: Chairman Scott Rupp and Commissioners
24 Maida Coleman, Jason Holsman and Glen Kolkmeier. One
25 Commission seat is currently vacant. Now, the

1 Commissioners are appointed by the Governor to fixed
2 terms and confirmed by the Senate. The Commissioners
3 employ a staff of engineers, accountants, attorneys,
4 financial analysts and other specialists in the field of
5 utility regulation.

6 Now, the Commissioners that are with me today
7 are Commission Chairman Scott Rupp, Commissioner Maida
8 Coleman and Commissioner Jason Holsman, and they are
9 participating tonight via WebEx. And would any of the
10 Commissioners like to make an opening statement?

11 CHAIRMAN RUPP: No, thanks, Judge, but I think
12 Commissioner Kolkmeyer is also on the line.

13 JUDGE CLARK: I apologize. I'm sorry. And
14 Commissioner Kolkmeyer is here, so we have a full house
15 of Commissioners this evening.

16 Now, there's a court reporter sitting next to
17 me. So if you make your comments, be aware that a court
18 reporter is going to be taking those down for the record
19 so that we can review those comments later should we
20 need to.

21 I'm going to begin by asking counsel to enter
22 their appearance for the record starting with Ameren
23 Missouri.

24 MR. LOWERY: Thank you, Judge. My name is Jim
25 Lowery representing Ameren Missouri at this local public

1 hearing this evening. Thank you.

2 JUDGE CLARK: Thank you, Mr. Lowery. For the
3 Commission Staff?

4 MS. ASLIN: Casi Aslin for Commission Staff
5 and my contact information has been provided to the
6 court reporter.

7 JUDGE CLARK: Thank you, Ms. Aslin. And on
8 behalf of the Office of the Public Counsel?

9 MR. WILLIAMS: Nathan Williams appearing on
10 behalf of the Office of the Public Counsel and the
11 public. I have provided my information to the court
12 reporter as well.

13 JUDGE CLARK: Thank you, Mr. Williams. There
14 are a number of intervenors in this case. Are there any
15 parties that are present this evening I have not called?
16 I hear nothing and see nothing. Now, for those who are
17 providing comments today, I'm going to call the names
18 listed on the sign-up sheet in the order they appear.
19 When I call your name, please come down to that podium
20 right there. At that time I'm going to ask you to state
21 and spell your name for the court reporter for our
22 record. At that time I'll place you under oath and
23 you'll have an opportunity to offer your comments to the
24 Commission.

25 Also, after you've made your comments, please

1 remain at the podium for just a second. I may have
2 questions for you, the Commission may have questions for
3 you, and some of the attorneys present may have
4 questions for you. If anybody has questions, please
5 feel free to just kind of pipe up and let me know. This
6 is for the attorneys and the Commission as well, because
7 I have no way of knowing otherwise.

8 Now, the Commission will not be able to answer
9 any of your questions this evening. That's because they
10 have to remain impartial until after the evidence is
11 presented at the evidentiary hearing. If you have
12 questions about this case, please speak to
13 representatives of the Company, Commission Staff or the
14 Office of the Public Counsel. Also, when people are up
15 here speaking at the podium, please give them the
16 respect they deserve and treat them as you yourself
17 would like to be treated.

18 I'm going to say, because I know there's only
19 a few people that have signed up tonight and I don't
20 know how many people have come to just watch, if you're
21 on the fence about offering comments to the Commission,
22 I would urge you to lean towards doing so. The
23 Commission is going to have an opportunity to hear the
24 parties' arguments and evidence at the evidentiary
25 hearing and in the parties' briefs, but this is the

1 Commission's opportunity to hear from the public. We do
2 very much want to hear what you have to say.

3 With that in mind, I'm going to call the first
4 witness to offer comments. Is there an Adam Weber
5 present? Mr. Weber, would you please come down to the
6 podium.

7 MR. WEBER: Thank you, sir.

8 JUDGE CLARK: Would you state and spell your
9 name for the record and then I'll place you under oath.

10 MR. WEBER: Yeah, Adam Weber, A-d-a-m
11 W-e-b-e-r.

12 JUDGE CLARK: And do you solemnly swear or
13 affirm that the testimony you're about to give at this
14 local public hearing this evening is the truth?

15 MR. WEBER: I do swear.

16 JUDGE CLARK: And what would you like to tell
17 the Commission this evening?

18 ADAM WEBER,
19 having been first duly sworn, testified as follows:

20 MR. WEBER: You want me to go ahead and talk
21 about the statement I prepared?

22 JUDGE CLARK: Please.

23 MR. WEBER: Okay. Thank you. So I live just
24 outside of Jefferson City here. I first want to say
25 that Ameren has always provided good and reliable

1 service to my family and I believe their transmission
2 and distribution service is very good. We appreciate
3 that and I hope that trend continues and I have no
4 concerns that it won't continue.

5 I am concerned, however, with Ameren's ability
6 to provide sufficient generation in times of extreme
7 weather, which is when the end user needs it most, which
8 is partly what was said earlier.

9 So from my research, I believe the following
10 facts to be true just in looking through things that I
11 can find. Ameren is a member of MISO, the Midcontinent
12 Independent System Operator. MISO declared in 2022 that
13 they may not have enough generation for an extreme
14 summer peak. NERC's 2022 Summer Reliability Assessment
15 stated that MISO was at a high risk for insufficient
16 generation for a summer peak.

17 NERC's 2022-23 Winter Reliability Assessment,
18 it was just before the winter storm in December, also
19 stated that MISO was one of four US regions with risk
20 for firm load shed during extreme weather. They stated
21 that this was because 4,200 MW of coal and nuclear
22 generation had been retired since last winter.

23 In 2022, MISO strongly urged Ameren to keep
24 Rush Island open until transmission improvements could
25 be made, which I think is a good thing. I appreciate

1 that. And just some things in general that I've seen
2 from the industry over the last couple years. MISO
3 released a Max Generation Alert three times since
4 February 2021, so two winter storms ago. I think MISO
5 issued an EEA-2, an Energy Emergency Alert on December
6 23rd of 2022. I believe MISO issued an EEA Energy
7 Emergency Alert-3 including load shed in February of
8 2021.

9 And there was -- In the February 2021 winter
10 storm, there was Manual Load Shed, including rolling
11 blackouts in ERCOT, SPP and MISO. And in December of
12 2022, during extreme weather, there was Manual Load Shed
13 in the New England-ISO, PJM, TVA, utilities in North
14 Carolina, and in Georgia.

15 I believe California-ISO has also load shed in
16 the recent past as well, which I believe includes every
17 market in the United States except the New York ISO. So
18 I believe from what I could tell from MISO's website
19 that the solar contribution to the MISO evening peak on
20 December 23 was zero, because it was an evening, it was
21 dark. And it appears the peak exceeded the NERC's
22 Winter Reliability Assessment's extreme weather peak
23 demand that was in the report, the projection that was
24 in the report.

25 So it seems to me that we're seeing load

1 growth in our areas, and to me these facts are very
2 alarming when we see so many plants being retired before
3 we can get reliable and dispatchable generation online.

4 So my request, I would ask that Ameren not
5 retire reliable and dispatchable power plants while
6 we're seeing load growth so that we can all have the
7 energy we need when we need it the most. I appreciate
8 the opportunity and I support what you guys are doing.

9 JUDGE CLARK: Thank you. I've got a couple
10 questions for you and then I'm going to ask you a
11 question about your statement if you would like.
12 You spoke very specifically about a lot of these things
13 in a way I'm not used to hearing at public hearings. Do
14 you have a utility background of any kind?

15 MR. WEBER: I do, yes, but this is all from me
16 as a ratepayer for Ameren. I live just outside of
17 Jefferson City.

18 JUDGE CLARK: That's fine. Can I ask what
19 your utility background is?

20 MR. WEBER: I'm an electrical engineer.

21 JUDGE CLARK: And if I had to summarize your
22 two major points, it would be sufficient generation,
23 you're concerned that there won't be sufficient
24 generation during extreme weather events due to growing
25 load and the retirement of generators?

1 MR. WEBER: That's correct. I hope that some
2 of the money can be used to keep these reliable and
3 dispatchable power plants online so that we don't have
4 the rolling blackouts that virtually everywhere east of
5 Missouri saw, or many states east of Missouri saw in
6 December, and many other states saw in February of 2021.

7 JUDGE CLARK: Now, you had indicated that you
8 had good reliable service; is that correct?

9 MR. WEBER: Yes.

10 JUDGE CLARK: During any of these events you
11 mentioned, was your service at any point cut off?

12 MR. WEBER: No. Everything was really good at
13 our house.

14 JUDGE CLARK: That's good to know. You
15 indicated you had a written statement; is that right?

16 MR. WEBER: Yeah, that was just what I read.

17 JUDGE CLARK: Were you satisfied with having
18 read it into the record or would you like to admit that
19 as an exhibit?

20 MR. WEBER: I can leave it if you would
21 prefer.

22 JUDGE CLARK: That's a hundred percent your
23 choice. If you would like me to mark that as an exhibit
24 and attach it to the record, I would be happy to do so.

25 MR. WEBER: Okay. Yeah, that would be good.

1 Who do I need to give it to?

2 JUDGE CLARK: I'll come get it.

3 MR. WEBER: Very good. Thank you, sir.

4 Thanks for the opportunity.

5 JUDGE CLARK: Wait just a second. Are there
6 any questions for Mr. Weber? I hear none. Thank you
7 very much for your time this evening, Mr. Weber. I
8 appreciate your comments.

9 MR. WEBER: Thank you.

10 JUDGE CLARK: And Mr. Weber's statement I will
11 have marked as Jefferson City Local Public Hearing
12 Exhibit 1.

13 (JEFFERSON CITY LOCAL PUBLIC HEARING EXHIBIT 1
14 WAS MARKED FOR IDENTIFICATION.)

15 JUDGE CLARK: The next person I have signed up
16 to speak is, and I'm sorry, I'm having a little
17 difficulty reading, forgive if I butcher your last name.
18 Cindy Capilla (phonetic spelling)?

19 MS. CAPILLA: I'm sorry. The lady just asked
20 me to sign.

21 JUDGE CLARK: No, you didn't do anything
22 wrong. I'm sure it's my reading. Please come on down
23 to the podium.

24 MS. CAPILLA: No, she said everybody had to
25 sign. I was just saying I was here.

1 JUDGE CLARK: Okay. You didn't have any
2 comments you wanted to make this evening?

3 MS. CAPILLA: No. She didn't ask me. She
4 said I needed to sign.

5 JUDGE CLARK: I'm sorry for the
6 misunderstanding, and I certainly didn't mean to put you
7 on the spot if you didn't want to be. If you do have a
8 comment, you're welcome to make it. May Browning.

9 MS. BROWNING: It's Mary.

10 JUDGE CLARK: Mary Browning. I apologize.
11 Thank you so much.

12 MS. BROWNING: You probably just couldn't read
13 my writing.

14 JUDGE CLARK: Would you state and spell your
15 name for the record?

16 MS. BROWNING: Mary Browning, M-a-r-y
17 B-r-o-w-n-i-n-g.

18 JUDGE CLARK: And do you swear or affirm that
19 the testimony you're about to give this evening at this
20 local public hearing is the truth?

21 MS. BROWNING: I do.

22 JUDGE CLARK: And what would you like to tell
23 the Commission this evening?

24 MARY BROWNING,
25 having been first duly sworn, testified as follows:

1 MS. BROWNING: I think the biggest issue I'd
2 like to talk to the Commission about is encouraging the
3 alternative energy, particularly solar energy, if
4 there's a way in this case to encourage that, encourage
5 Ameren and encourage the user. So I would love to see
6 that.

7 I also during the question and answer period
8 asked a question and I think I understand the answer. I
9 don't know if it's okay for me to say something about
10 that here. One of my issues is really about as a solar
11 investor selling at wholesale and paying retail to use
12 the energy back. And I think I understood the gentleman
13 correctly when he said they're required to charge
14 everyone the same, which is understandable, but I don't
15 know -- the question that I have is really related to
16 whether -- if there are any regulations related on what
17 they can provide the solar investor on their investment
18 in terms of expanding the grid and making more energy
19 available, because that to me seems like a win-win, the
20 customer wins, Ameren wins because they expand the grid
21 and hopefully sort of make some buffer against the
22 usages. Of course, in the middle of the night we're not
23 going to get anything unless you can store the solar. I
24 don't know the answer to that question. If I can ask --
25 I know this is not the question and answer period. I

1 didn't have that question at the time.

2 JUDGE CLARK: Well, as I indicated before, the
3 Commission can't answer questions this evening because
4 we have to remain neutral.

5 MS. BROWNING: Right.

6 JUDGE CLARK: It sounds like what you are
7 talking about is what are called the net metering rules.
8 At least that's what it sounds like. I could be wrong.
9 I will say that if you have questions about that about
10 the net metering rules, you can certainly contact the
11 Commission Staff, the Office of the Public Counsel or
12 the Company and they might be able to answer your
13 question, but I'm sorry I cannot this evening.
14 Was that the only comment you had?

15 MS. BROWNING: I think if there's a way during
16 this case to encourage Ameren's incentivizing or helping
17 the average customer in terms of solar energy and
18 expanding the grid in that manner I would love to see
19 the Office of the Public Counsel maybe say something
20 about that.

21 JUDGE CLARK: Thank you very much.

22 MS. BROWNING: Sure.

23 JUDGE CLARK: Are there any questions for Ms.
24 Browning?

25 MR. LOWERY: No questions.

1 JUDGE CLARK: I have none. Thank you very
2 much for your comments this evening. This was a short
3 list. I only had a few people signed up to speak
4 tonight. I don't know who else is here, but at this
5 time is there anybody else who would like to offer
6 comments to the Commission? Okay. I see no hands and I
7 haven't heard anybody say anything. So I'm going to say
8 going once, going twice, going three times. Okay.
9 Thank you so much.

10 Would any of the Commissioners like to make
11 any closing remarks this evening?

12 CHAIRMAN RUPP: No, thank you, Judge. We just
13 appreciate people coming down and making comments.

14 JUDGE CLARK: Thank you, Chairman. I would
15 like to thank everybody for showing up tonight. Again,
16 I hope if you had questions you were able to get those
17 questions answered. We appreciate the comments we
18 received. As I indicated, this is the Commission's
19 chance to hear from the public and we look forward to
20 hearing the public's comments, good, bad or otherwise.

21 If you get back home and you decide that you
22 had wanted to make a comment but you didn't get a chance
23 to, or you were talking to somebody and they say hey, I
24 wish I could have gone to that and made some comments,
25 you can still make comments. You can make written

1 comments by contacting the email address
2 pscinfo@psc.mo.gov. If you go to the Commission's web
3 page, there should be a link that would allow you to
4 make comments on this case. You would need to know the
5 case number, which is ER-2022-0337. You can also
6 contact the Office of the Public Counsel. They've been
7 very gracious about seeing that comments get filed with
8 the Commission.

9 With nothing else before the Commission this
10 evening, I'm going to adjourn this hearing and we will
11 go off the record. Thank you much for your time and
12 have a safe trip home.

13 (Thereupon, the hearing concluded at 6:33
14 p.m.)

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1 CERTIFICATE OF REPORTER

2 STATE OF MISSOURI)

3 COUNTY OF COLE)

4 I, Beverly Jean Bentch, RPR, CCR No. 640, do
5 hereby certify that I was authorized to and did
6 stenographically report the foregoing Public Service
7 Commission local public hearing and that the transcript,
8 pages 1 through 18, is a true record of my stenographic
9 notes.

10 I FURTHER CERTIFY that I am not a relative,
11 employee, attorney, or counsel of any of the parties,
12 nor am I a relative or counsel connected with the
13 action, nor am I financially interested in the action.

14 Dated this 6th day of February, 2023.

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Beverly Jean Bentch

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Beverly Jean Bentch, RPR, CCR No. 640

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<hr/> <p style="text-align: center;">1</p> <hr/> <p>1 13:12,13</p> <p>1st 4:3</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2021 10:4,8,9 12:6</p> <p>2022 9:12,14,23 10:6,12</p> <p>2022-23 9:17</p> <p>2023 4:3</p> <p>23 10:20</p> <p>23rd 10:6</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4,200 9:21</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6:16 4:1,4</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>A-D-A-M 8:10</p> <p>ability 9:5</p>	<p>accountants 5:3</p> <p>Adam 8:4,10,18</p> <p>Adjust 4:12</p> <p>admit 12:18</p> <p>affirm 8:13</p> <p>ahead 4:2 8:20</p> <p>alarming 11:2</p> <p>Alert 10:3,5</p> <p>Alert-3 10:7</p> <p>Ameren 4:12 5:22,25 8:25 9:11,23 11:4,16</p> <p>Ameren's 9:5</p> <p>analysts 5:4</p> <p>answers 4:7</p> <p>apologize 5:13</p> <p>appearance 5:22</p> <p>appearing 6:9</p> <p>appears 10:21</p> <p>appointed 5:1</p>	<p>areas 11:1</p> <p>arguments 7:24</p> <p>Aslin 6:4,7</p> <p>Assessment 9:14,17</p> <p>Assessment's 10:22</p> <p>attach 12:24</p> <p>attorneys 5:3 7:3,6</p> <p>aware 5:17</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>background 11:14,19</p> <p>began 4:1</p> <p>begin 5:21</p> <p>behalf 6:8,10</p> <p>blackouts 10:11 12:4</p> <p>briefs 7:25</p> <p>butcher 13:17</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>California-iso 10:15</p>	<p>call 6:17,19 8:3</p> <p>called 6:15</p> <p>Capilla 13:18,19,24</p> <p>captioned 4:11</p> <p>Carolina 10:14</p> <p>case 4:6,10 6:14 7:12</p> <p>Casi 6:4</p> <p>Chairman 4:23 5:7,11</p> <p>charged 4:17</p> <p>choice 12:23</p> <p>Cindy 13:18</p> <p>City 8:24 11:17 13:11,13</p> <p>Clark 4:2,14 5:13 6:2,7,13 8:8, 12,16,22 11:9,18,21 12:7,10,14, 17,22 13:2,5, 10,15,21</p> <p>coal 9:21</p> <p>Coleman 4:24 5:8</p>
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