

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri's Verified Application for)
Approval of Amendment to Rider PGA to Allow) File No. GT-2022-0____
Recovery Period Flexibility, for Expedited)
Treatment, and for Waiver of 60-Day Notice)
Requirement.)

**VERIFIED APPLICATION FOR APPROVAL OF AMENDMENT TO RIDER PGA TO
ALLOW RECOVERY PERIOD FLEXIBILITY, MOTION FOR EXPEDITED
TREATMENT, AND MOTION FOR WAIVER OF
60-DAY NOTICE REQUIREMENT**

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company"), a Missouri corporation, and pursuant to 20 CSR 4240-2.060, 20 CSR 4240-2.065(4), 20 CSR 4240-2.080, and 20 CSR 4240-4.017, submits this *Verified Application, Motion for Expedited Treatment, and Motion for Waiver of 60-day Notice Requirement* ("Application"). First, Ameren Missouri seeks to narrowly amend its Rider PGA and requests approval of the amended Schedule 2, Tariff Sheet No. 26, attached hereto as Schedule 1, to allow flexibility to extend the Actual Cost Adjustment ("ACA") recovery period beyond 12 months and up to 36 months for good cause shown by the Company. Next, the Company moves for waiver of the 60-day notice requirement under 20 CSR 4240-4.017(1)(D). Finally, the Company moves for expedited decision from the Commission in accordance with 20 CSR 4240-2.080(14). In support of its requests, Ameren Missouri states as follows:

INTRODUCTION

1. As detailed in the Commission's currently open working docket, File No. AO-2021-0264, and more specifically in the Ameren Missouri gas operations working docket, GO-2021-0362, the February 2021 Polar Vortex yielded increased natural gas supply and transportation costs, which are recovered through the Company's Rider PGA.

2. During the March 23, 2021 workshop in File No. AO-2021-0264, an Ameren Missouri representative explained that recovery of the increased costs from the Polar Vortex over a period of more than one year would benefit customers and the Company, and described two options to mitigate the rate impacts for customers before the Company's next annual reset of its Rider PGA rates on November 1st.¹

3. One of those options to mitigate the rate impacts for customers is being pursued through this Application: narrow amendments of the Company's Rider PGA to allow flexibility to extend the ACA recovery period beyond 12 months and up to 36 months.

4. Ameren Missouri herein seeks to narrowly amend its Rider PGA, and requests approval of the amended Schedule 2, Tariff Sheet No. 26, attached hereto as Schedule 1, to allow flexibility under Rider PGA to extend the ACA recovery period beyond 12 months and up to 36 months for good cause shown by the Company. Good cause could be price blowouts beyond the Company's control, as occurred as a result of the February 2021 Polar Vortex.

5. As the November 1st deadline for the Company's annual Rider PGA rates reset swiftly approaches and the Company may need to specially communicate the Rider PGA rates reset to customers if this *Application* is granted, Ameren Missouri seeks both expedited treatment under 20 CSR 4240-2.080(14) and waiver of the 60-day notice requirement under 20 CSR 4240-4.017(1)(D).

6. This *Application* has been organized into the following sections:

I. 20 CSR 4240-2.060(1), (A) through (M) — General Application Requirements

II. 20 CSR 4240-2.080(14) — Motion for Expedited Treatment

III. 20 CSR 4240-4.017 — Waiver of 60-Day Notice Requirement

¹ File No. AO-2021-0264, EFIS Item No. 8, at Slide 8.

I. 20 CSR 4240-2.060(1), (A) through (M) — General Application Requirements

Paragraph (A) – Applicant

7. The Company is a Missouri corporation doing business under the fictitious name of Ameren Missouri, organized and existing under the laws of the State of Missouri, in good standing in all respects, with its principal office and place of business located at One Ameren Plaza, 1901 Chouteau Avenue, St. Louis, Missouri 63103. The Company is engaged in providing electric and gas utility services in portions of Missouri as a public utility under the jurisdiction of the Commission. The Company is a subsidiary of Ameren Corporation.

Paragraph (B) – Articles of Incorporation; Paragraph (E) – Fictitious Name; Paragraph (G) – Information Previously Submitted; Paragraph (H) – Character of Business²

8. Company previously submitted a certified copy of its Articles of Incorporation to the Commission (See Case No. EA-87-105). Company previously submitted its Fictitious Name Registrations as filed with the Missouri Secretary of State's Office in File No. EA-2019-0181. Company attaches a copy of its Certificate of Corporate Good Standing as Schedule 2 to this pleading. These documents are incorporated by reference and made a part of this *Application* for all purposes.

Paragraph I – Correspondence and Communication

9. Correspondence and Communication — Correspondence, communications, orders and decisions in regard to this *Application* should be directed to the undersigned and to:

² Paragraphs (C), (D), and (F) do not apply to Ameren Missouri.

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Paragraph (K) – Actions, Judgments, and Decisions; Paragraph (L) – Fees³

10. Ameren Missouri has no final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates that have occurred within three years of the date of this *Application*. By the nature of its business, the Company has, from time-to-time, pending actions in state and federal agencies and courts involving customer service or rates. Company has no annual report or assessment fees overdue to this Commission.

Paragraph (M) – Affidavit

11. An affidavit in support of this *Application* by an authorized individual is included as Schedule 3.

II. 20 CSR 4240-2.080(14) — Motion for Expedited Treatment

12. Ameren Missouri moves for expedited treatment of this *Application* in accordance with 20 CSR 4240-2.080(14), which states:

(14) Any request for expedited treatment shall include the words “Motion for Expedited Treatment” in the title of the pleading. The pleading shall also set out with particularity the following: (A) The date by which the party desires the commission to act; (B) The harm that will be avoided, or the benefit that will accrue, including a statement of the negative effect, or that there will be no negative effect, on the party’s customers or the general public, if the commission acts by the date desired by the party; and (C) That the pleading was filed as soon as it could have been or an explanation why it was not.

³ Paragraph (J) does not apply to Ameren Missouri.

Paragraph (A) – Action Date

13. Ameren Missouri requests a decision on this *Application* to be effective by at least October 1, 2021.

Paragraph (B) – Harm Avoided/Benefit

14. A decision on this Application is needed by at least October 1, 2021 so that the annual Rider PGA rates reset on November 1st may reflect the rates mitigation measure of extending the ACA recovery period beyond 12 months and up to 36 months, which benefits customers, and so that the Company may coordinate any special bill notices or communication with customers regarding the reset rates reflecting the mitigation measure. Therefore, good cause exists to approve this *Application* on an expedited basis.

15. Moreover, there will be no negative impact on customers or the general public if the Commission grants such relief on an expedited basis.

Paragraph (C) – As Soon As Application Could Be Filed

16. The *Application* was filed as soon as it could have been, because the Company was not sure if the Commission was going to issue any sort of directive in File No. AO-2021-0264 following the March 23, 2021 workshop, and the Company sought to evaluate which rate impact mitigation option would be best for customers.

III. 20 CSR 4240-4.017 — Waiver of 60-Day Notice Requirement

17. Ameren Missouri requests a variance from the 60-day notice requirement of 20 CSR 4240-4.017, which states, in relevant part:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case...

Pursuant to 20 CSR 4240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. The rule further provides that good cause includes "... a verified

declaration from the filing party that ... circumstances prevented filing the required notice and delaying the filing for sixty (60) days would cause harm."⁴ As indicated in the *Verification and Affidavit* attached as Schedule 3 to this *Application*, the Company was not sure whether the Commission would be issuing a directive regarding mitigation of PGA rates for customers following the March 23, 2021 workshop, and sought to evaluate the best mitigation option for the Company and its customers before filing this *Application* and seeking expedited treatment. Delaying this filing for 60 days, until October, would cause a significantly compressed timeframe of less than one month for the Commission to process this *Application* and for the Commission's Staff to review and respond to this *Application*. Accordingly, Ameren Missouri has established good cause for a waiver from the 60-day requirement of 20 CSR 4240-4.017(1). No other public utility will be affected by granting the Company a waiver of this requirement.

WHEREFORE, Ameren Missouri respectfully requests that the Commission grant the *Application*, waive of the 60-day notice requirement, and expedite treatment of this *Application*.

Respectfully submitted,

/s/ Jermaine Grubbs
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⁴ Pursuant to the Commission's *Order Waiving 60-Day Notice Requirement* issued on August 1, 2017, in File No. WM-2018-0023, the examples of good cause provided in the rule are not exclusive, and the Commission may find that good cause has been established by other circumstances.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the Staff of the Commission and the Office of the Public Counsel, via electronic mail (e-mail) on this 9th day of August, 2021.

/s/ Jermaine Grubbs _____
Jermaine Grubbs