

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

In the Matter of the Application of)	
Checkmate Design for a Variance of)	File No. EE-2021-0180
Commission Rules)	

RESPONSE OF UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI

Comes Now, Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) pursuit to 20 CSR 4240-2.080, et al, and the Order of the Missouri Public Service Commission (“the Commission”) dated January 8, 2021 directing Ameren Missouri to file a Response to the above styled Application on or before January 19, 2021 and states:

1. On December 23, 2020, Checkmate Design LLC (“Checkmate Design”), filed an Application requesting that it be granted a variance from the requirement to individually meter a residential building located at 4440 Manchester Avenue in St. Louis, Missouri.
2. On December 29, 2020, the Commission issued a Notice of Deficiency indicating it would take no further action until the Application was signed by a Missouri licensed attorney under the requirements of the Commission regulations and Missouri law.
3. On January 6, 2021, the Application was refiled by a Missouri licensed attorney. It stated that the applicant was Grove Lofts STL (“Grove Lofts”) the developer and operator of the multi-family property. The Entry of Appearance indicated that both Checkmate Design and Grove Lofts were her clients.
4. On January 8, 2021, the Commission added Grove Lofts as a party to this matter and directed the applicant to clarify the role of Checkmate Design in this request for variance no later than January 15, 2021.
5. The revised Application does not set forth its assertions in numbered paragraphs. But, the first paragraph of page three states, “Checkmate is seeking a Hardship Variance from 20

CSR 4240-20.250 (Sic) Individual Electric Meters for 4400 Manchester Ave. under the following exceptions 20 CSR 4240-20.050 (4) (A) and 20 CSR 4240-20.050 (4) (E).”

6. 20 CSR 4240.20.50 is entitled “Individual Electric Meters-When Required.” The reliance on 20 CSR 4240-20.50 (4) (A) fails. This subsection states:

(4) For the purpose of carrying out the provisions of sections (2) and (3), the following exceptions apply and separate metering will not be required: (A) For transient multiple-occupancy buildings and transient mobile home parks—for example, hotels, motels, dormitories, rooming houses, hospitals, nursing homes, fraternities, sororities, campgrounds and mobile home parks which set aside, on a permanent basis, at least eighty percent (80%) of their mobile home pads or comparable space for use by travel trailers;

The Application satisfies none of these exceptions. Rather, it states in paragraph one of page three, “Thus providing a worry-free residential housing building for moderate income persons, new persons to the area and persons who are budget conscience, by simplifying the process of paying utility (Sic) with a single all-inclusive rental bill.”

7. The reliance on 20 CSR 4240-20,50 (4) (E) also fails. This subsection states:

(E) For buildings or mobile home parks where alternative renewable energy resources are utilized with central space heating, central hot water heating, central ventilating, and central air-conditioning systems; or

Bullet point two on page three of the Application state that solar panels will only offset 35% of the *common space* energy cost (corridors, elevators, stairs, and building exterior power). (*Emphasis Supplied*).

8. The requested variance violates the spirit, if not the letter, of the Public Utility Regulatory Policies Act of 1978, 16 USC 2601, by providing a disincentive for residents to minimize their monthly expenses by conserving electricity.

9. The requested variance violates the Commission's trend toward making electric costs transparent and encouraging the thoughtful and judicious consumption of electricity via a number of methods, including but not being limited to, time of use rates.

WHEREFORE, for the aforementioned reasons Ameren Missouri requests that the Application be denied and for such additional relief as the Commission deems fit and proper.

Respectfully submitted,

Banks Law LLC

/s/ Eric Kendall Banks
Eric Kendall Banks, MBE#28655
1824 Chouteau Avenue
St. Louis, Missouri 63103
314-583-7075
302-365-2789 (e-Fax)
ericbanks@banksllc.com

**Union Electric Company
d/b/a Ameren Missouri**

/s/ Wendy K. Tatro
Wendy K. Tatro, MBE#60261
Director and Assistant General Counsel
1901 Chouteau Avenue
St. Louis, Missouri 63166-6149
(314) 554-3484 (phone)
(314) 554-4014 (fax)
AmerenMoService@ameren.com

CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2021, I caused the aforementioned document to be electronically filed with the Secretary of the Public Service Commission of the State of Missouri who will send a copy to counsel for all parties of record. A copy has also been emailed to them by the undersigned.

/s/ Eric Kendall Banks _____