1. Waivers Related to the Timing of Recovery of Lost Revenue.

Rule 4 CSR 240-20.093(2)(G)5, as written, allows only retrospective recovery of any explicit utility lost revenue component of a DSIM. Under the Stipulated Plan, the TD component of the DSIM would be initially set prospectively in Rider EEIC based on estimates of measure installations, but would be subject to true-up during the pendency of the MEEIA programs based on actual measures installed. Any over-or under recovery of the TD determined through final EM&V would be retrospectively adjusted through the award of the EO.

Good cause exists to vary the rule's requirement to apply the recovery of lost revenue entirely on a retrospective basis to provide timely cost recovery and to ensure the utility financial incentives are aligned with helping customers use energy more efficiently. Delayed recovery of any portion of lost revenue as a result of demand-side resources impacts the Company's cash flow and earnings.

2. Waivers Related to the Earnings Opportunity.

The following rules require that, among other things, the utility incentive component of a DSIM be defined through specified relationships between (1) the utility's portion of annual net shared benefits, (2) annual energy savings achieved and documented through EM&V reports as a percentage of annual energy savings targets, and (3) annual demand savings achieved and documented through EM&V reports as a percentage of annual demand savings targets.

4 CSR 240-20.093(1)(Q)
4 CSR 240-20.093(1)(EE)
4 CSR 240-20.093(2)(H)
4 CSR 240-20.094(1)(M)
4 CSR 240-20.094(1)(Z)
4 CSR 240-3.163(1)(J)
4 CSR 240-20.093(1)(A)
4 CSR 240-20.093(1)(B)
4 CSR 240-20.094(1)(A)
4 CSR 240-20.094(1)(B)

Good cause exists for the Commission to grant Ameren Missouri waivers of the rules listed in this section, because doing so will allow implementation of the EO defined in the Stipulated Plan and Rider EEIC which provide Ameren Missouri with an earnings opportunity which is aligned with the MEEIA statute's requirements to value demand-side investments equal to traditional investment in supply and delivery infrastructure and to provide the utility with timely earning opportunities associated with cost-effective measurable and verifiable efficiency savings. The EO will utilize retrospective EM&V to determine cumulative annual energy and demand savings for the 3-year Plan and then correlates these measured and verified energy and demand savings to the earnings opportunity shareholders would have had from future supply-side investments that are no longer necessary or are delayed as a result of the MEEIA Cycle 2 Plan. The portion of the EO for residential low-income, learning thermostats and behavioral programs is determined through performance metrics for actual amount of program expenditures vs. budget, number of thermostats installed and number of home energy reports sent, respectively.

3. Waivers Related to Lost Revenue and A Drop in Net System Retail kWh Delivered.

The following rules state lost revenues occur only when a utility's Commission-approved demand-side programs cause a drop in net system retail kWh delivered to jurisdictional customers below the level used to set the electricity rates.

4 CSR 240-20.093(1)(Y)
4 CSR 240-20.093(2)(G)1
4 CSR 240-20.094(1)(U)
4 CSR 240-3.163(1)(Q)
4 CSR 240-3.164(1)(M)

The lost revenue or TD component of the Stipulated Plan is Ameren Missouri's estimation of lost margin revenues due to the installation of energy efficiency measures. Good cause exists to waive the requirement that lost revenue only result from a drop below the net system retail kWh used to set electric rates, because the Stipulated Plan's TD allows recovery of lost margin revenues associated with energy efficiency measures, which aligns the utility's financial incentive with helping customers use energy efficiency more efficiently. The TD is recovered based on projected values and is trued-up as a result of EM&V as well as the changes in margin revenue rates in general rate cases, with a NTG floor of 0.80 and a NTG cap of 1.00.

4. Waivers Related to EM&V Estimates of Lost Revenues.

The following rules require EM&V contractors to estimate revenue lost due to energy efficiency programs.

4 CSR 240-20.093(1)(V)
4 CSR 240-20.094(1)(R)
4 CSR 240-3.163(1)(O)
4 CSR 240-3.164(1)(L)

Good cause exists for the Commission to waive the requirements of the rules cited above requiring EM&V contractors to estimate revenue lost due to energy efficiency programs as applicable to the Stipulated Plan. Under the Stipulated Plan, the utility's independent EM&V contractors will not calculate lost margin revenue.

5. Waivers Related to the Utilization of Avoided Costs Found in the Ameren Missouri's Preferred Resource Plan.

The following rules require a utility to use the same methodology used in its most recently-adopted preferred resource plan to calculate its avoided costs.

4 CSR 240-20.093(1)(F)
4 CSR 240-20.094(1)(D)
4 CSR 240-20.094(1)(V)
4 CSR 240-3.163(1)(C)
4 CSR 240-3.164(1)(A)

For MEEIA Cycle 2, the Company will use the avoided costs from its most recently-adopted preferred resource plan for which relevant avoided cost data is available, only for the purposes of determining cost effectiveness annually. In other words, when annual EM&V is final for a given program year, the final EM&V will not be revised as a result of updated avoided costs.

The Signatories agree that changes in avoided costs subsequent to the Commission's approval of this Stipulation are not grounds to challenge the prudence of the Company's decision to implement the Program(s) and/or measure(s) if one or more Program(s) and/or measure(s) are later determined to be not cost effective when applying updated avoided costs retrospectively.

6. Waivers Related to Annual Report Filings.

Rule 4 CSR 240-20.093(8) requires a utility with one or more approved demand-side programs to file an annual report no later than 60 days after the end of each calendar year. Ameren Missouri proposes to extend the 60-day filing requirement to 90 days, because it believes that at the 60-day point there will still be a lack of completed available information to meet the 60-day requirement. Good cause therefore exists for the Commission to waive the 60-day filing requirement of 4 CSR 240-20.093(8), because doing so will improve the quality of the information included in each annual report.

7. Waivers Related to IRP Integration for the Stipulated Plan.

Rule 4 CSR 240-20.094(3)(A)3 requires that the Commission approve only demand-side programs or program plans, which are included in the electric utility's preferred plan or have been analyzed through the integration process required by 4 CSR 240-22.060 to determine the impact of the demand-side programs and program plans on the net present value of revenue requirements of the electric utility. All demand-side programs in Ameren Missouri's original MEEIA Cycle 2 application filing meet the requirements of 4 CSR 240-20.094(3)(A)3 because those programs were included in Ameren Missouri's adopted preferred resource plan. The portfolio included in the Stipulated Plan is modified from the portfolio in the adopted preferred resource plan and is more cost effective, when based upon standard cost effectiveness tests, than

Ameren Missouri's original MEEIA Cycle 2 application filing. Therefore, the portfolio contained in the Stipulated Plan is expected to have a lower present value of revenue requirements than the adopted preferred resource plan.

Further, if the Stipulated Plan is modified during Cycle 2 such that the cumulative annual energy savings target and the cumulative annual demand savings target each increase by less than five percent (5%), Ameren Missouri requests that the requirements of 4 CSR 240-20.094(3)(A)3 to determine what is expected to be a relatively small impact on revenue requirements be waived. Waiver of rule 4 CSR 240-20.094(3)(A)3 will have no impact on the requirement to comply with rule 4 CSR 240-22.080(12) if, between triennial compliance filings, the utility's business plan or acquisition strategy becomes materially inconsistent with the preferred resource plan, or if the utility determines that the preferred resource plan or acquisition strategy is no longer appropriate. Good cause exists for a waiver of this rule to avoid the additional time and expense of performing the integration process as outlined above required by 4 CSR 240-22.060 for the Stipulated Plan.

8. Waivers Related to the Number of Filings Per Year for Rider Changes.

The following rules require semi-annual adjustment of charges related to the DSIM rates.

4 CSR 240-20.093(4)
4 CSR 240-20.093(1)(N)
4 CSR 240-20.093(2)(I)

Under the Stipulated Plan, the timing of any Rider EEIC rate adjustments will correspond with the timing of the rate adjustments for the Company's Rider FAC. Good cause therefore exists for the Commission to waive the semi-annual change provisions of the rules cited above, since doing so will allow any and all rate adjustments for the Rider EEIC and the Rider FAC to be effective for the February, June and October billing cycles each year and will, thereby, minimize the number of months during which rate adjustments will occur annually.

9. Waivers Related to the Effective Length of the Rider.

4 CSR 240-20.093(5)(A) requires that the duration of the DSIM be not more than four years unless the Commission earlier authorizes the modification or discontinuance of the DSIM. Out of necessity, the Rider EEIC in the Stipulated Plan may be in effect longer than four years. The program cost recovery mechanism will likely result in a final true-up of Cycle 2 program costs within four years. However, the mechanism to recover TD will continue until all saved kWhs are accounted for in a general electric rate case, which may exceed four years. In addition, any potential utility EO could be collected between two and three years beyond the planned conclusion of the MEEIA 2016-18 energy efficiency programs.

The Company asks the Commission to waive the four year restriction in 4 CSR 240-20.093(5)(A). In addition to being necessary to implement the Stipulated Plan, a waiver is required to be consistent with waivers granted in connection with the stipulated resolution of Ameren Missouri's MEEIA 2013-15 filing in Case No. EO-2012-0142.

10. Waivers to Allow the Company to Collect Lost Revenue or Throughput Disincentive and EO Awards through the Rider EEIC.

Rule 4 CSR 240-20.093(4) requires that semi-annual adjustments of DSIM rates only include adjustments to the DSIM cost recovery revenue requirement and not include any adjustments to the DSIM utility lost revenue requirement or the DSIM utility incentive revenue requirement. Ameren Missouri asks the Commission to grant a waiver that would also allow inclusion of the program costs, TD and EO to all be recovered through the Rider EEIC adjustments to meet the requirement of MEEIA for timely cost recovery and timely earnings opportunities.

11. Waivers Related to Promotional Practices.

Rule 4 CSR 240-14.030(3) requires tariffs be filed before a new promotional practice is offered. The Stipulated Plan anticipates certain promotional practices (i.e. incentive levels) could be changed within a range of approved values without filing a new tariff. A waiver of 4 CSR 240-14.030(3) is therefore necessary to allow Ameren Missouri to implement this aspect of the Stipulated Plan.

12. Waivers Related to Annual Energy and Demand Savings Goals.

Rule 4 CSR 240-20.094(2) sets guidelines to review progress toward an expectation that the utility's demand-side programs can achieve a goal of all cost-effective demand side savings. These guidelines regarding annual kWh and kW load reduction are not mandated by statute and are not supported by any DSM potential studies. To remove any confusion regarding kWh and kW goals Ameren Missouri is expected to meet through its MEEIA 2016-18 programs, the Company seeks a waiver of the "soft goals" in 4 CSR 240-20.094(2).