

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

In the Matter of the Application of Union Electric)
Company d/b/a Ameren Missouri for an Order)
Granting a Variance from 4 CSR 240-10.030(19) to)
Revise its Sample Meter Testing Plan) **File No. GE-2017-0164**

**STAFF REQUEST FOR ADDITIONAL TIME
TO FILE RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission and for its *Request for Additional Time to File Recommendation* (“Request”) states as follows:

1. On December 1, 2016, Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”) filed an application requesting modifications to its existing variance from the Commission’s rule governing gas meter testing.

2. Also on December 1, 2016, the Commission issued, by delegation of authority, an *Order Directing Staff to File a Recommendation* (“Order”) which noted that “Ameren Missouri ask[s] that the Commission approve [the] modification in time to allow the revised procedures to go into effect on January 1, 2017.” Because of this, the Commission ordered Staff to file a recommendation regarding Ameren Missouri’s application no later than December 16, 2016; however, the Order also stated that “if Staff, or any other party, believes that more time is needed to thoroughly examine Ameren Missouri’s request for variance they may request additional time to respond.”

3. Although Ameren Missouri’s application may have requested approval to allow the revised procedures to go into effect on January 1, 2017, it failed to comply with the Commission’s rule governing requests for expedited treatment found at 4 CSR 240-2.080(14). For example, Ameren Missouri’s pleading does not set out with

particularity the harm that will be avoided or the benefit that will accrue by granting expedited treatment, nor does it allege that the pleading was filed as soon as it could have been or an explanation why it was not.

4. Furthermore, in order to allow the revised procedures to go into effect, more is needed than simply a Commission order approving the application. Ameren Missouri's tariff refers to its current meter testing variance; if the Commission approves the application, this tariff will need to be changed and become effective before revised procedures go into effect. This will obviously require a tariff filing, probably an additional staff recommendation on the tariff, and a Commission order approving the tariff – all during the holiday season.

5. However, separate and apart from the foregoing procedural matters, Staff needs more time to thoroughly examine Ameren Missouri's request for variance as contemplated in the Order issued December 1. Ameren Missouri's application raises several significant questions which will require discovery and analysis, such as but not limited to: how will the proposed modifications change the meter testing program on a going-forward basis; precisely how will the new definition of "Lot" work; how will the modifications provide "clarity" and why are adjustments to timing and capacity requirements more appropriate in today's environment as claimed in the application? These are just a few of the questions raised, but not answered, by the application and which should be examined.

6. Staff points out that Ameren Missouri's application seeks to remove the maximum permissible sampling period of 30 years from its existing gas meter testing variance. If approved, Ameren Missouri's meter testing variance would differ from the

meter testing variances granted to other Missouri gas utilities and potentially “open the door” for similar requests from all others. Therefore, this request requires particularly close examination.

7. As reflected in the attachments to the application, Ameren Missouri received its current meter testing variance in Case No. GO-98-25. In that case the Company’s application was filed on July 18, 1997, and the Staff recommendation was filed on October 16, 1997 – three months after the application was filed. Furthermore, unlike the current case, in that case the variance was discussed and worked on prior to being formally filed by the Company. The Commission issued an order granting variance on October 30, 1997, and the corresponding tariff was filed December 1, 1997, with an effective date of January 1, 1998 – nearly six months after the application was filed. This illustrates the unrealistic nature of Ameren Missouri’s current request to effectuate in one month during the holiday season what previously took nearly six months even after having been discussed prior to filing.

8. As the Commission is aware, 4 CSR 240-2.090 (the Commission’s Rule governing discovery) provides 20 days to answer data requests. At this time Staff estimates that its examination of Ameren Missouri’s application will take a minimum of 1 or 2 rounds of data requests (which will take time for Staff to prepare and for Ameren Missouri to respond) and likely meetings with Company personnel, as well as time to analyze Ameren Missouri’s responses and then draft and finalize a recommendation. Staff also has several other ongoing or pending projects which require its attention at this time. Finally, since the application was filed on December 1, the holiday season must also be factored in. Based on the foregoing, at this time Staff estimates that it will

need until March 31, 2017, to file its recommendation in this matter. Staff would also note that this time period is similar to the amount of time between the filing of the application and the Staff recommendation in Case No. GO-98-25 – the case in which Ameren Missouri received the variance which it now seeks to modify and which is discussed in more detail above.

WHEREFORE, for the reasons set forth above, Staff respectfully requests that the Commission issue an order granting Staff until March 31, 2017, to file its recommendation regarding Union Electric Company d/b/a Ameren Missouri's request for variance in this case.

Respectfully submitted,

/s/ Jeffrey A. Keevil

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record this 15th day of December, 2016.

/s/ Jeffrey A. Keevil