

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

In the Matter of the Tariff Filings of Union)
Electric Company d/b/a Ameren Missouri, to) File No. ER-2022-0337
Increase Its Revenues for Retail Electric Service.)

**AMEREN MISSOURI’S REQUEST FOR
ISSUANCE OF REPORT AND ORDER BY JUNE 9, 2023
AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Company” or “Ameren Missouri”) and for its request for expedited issuance¹ of its Report and Order resolving the remaining issues in this case, states as follows:

1. The statutory tariff suspension period in this case (sometimes referred to as the “operation of law date”) expires at midnight, June 30, 2023 – just 23 days from now.

2. Ameren Missouri has to-date diligently worked to prepare, as completely as possible, compliance tariffs to implement the agreed-upon revenue requirement and terms of the Stipulation and Agreement filed on April 7, 2023. Consistent with its past practice in numerous rate reviews, the Company will share its draft compliance tariffs with Staff, the Office of the Public Counsel and other interested parties for feedback and take that feedback into account in finalizing those compliance tariffs in an effort to ensure that the parties agree on those compliance tariffs before they are filed as “live” tariffs for the Commission’s approval. This process has been successfully utilized by the Company and other interested parties in each of the Company’s nine prior rate reviews completed over the past approximately 17 years.

3. However, final draft compliance tariffs cannot be produced, and the above-described process of vetting them with Staff and others cannot start until the Commission issues

¹ Made under 20 CSR 4240-2.080(14).

its Report and Order since the revenue requirement allocation/rate design-related issues to be resolved by the Report and Order impact finalization of the draft compliance tariffs. As result, this Motion requests that the Commission issue its Report and Order in this case by June 9, 2023.

4. The Company believes that even with the exercise of all diligence that is reasonably possible, it will require until Noon Monday, June 12, to incorporate the Report and Order's terms in the draft compliance tariffs and provide those drafts to Staff and other interested parties. Based on its extensive experience in working with Staff and others for their review of those drafts, the Company estimates it will take approximately two business days to obtain feedback and then one additional day (to Thursday, June 15) to finalize and then file final compliance tariffs. This would leave (assuming the Report and Order is issued on Friday, June 9 as requested herein) just three business days between the compliance tariff filing and the date by which the compliance tariffs need to be approved, and just two business days for the submission of recommendations regarding the compliance tariffs so that those recommendations can be received by the Commission by the end of the day Monday, June 19. Once those recommendations are received, the Commission could then issue an order approving the compliance tariffs by June 20 to provide a 10-day period between the issuance of the Report and Order and its effective date.²

5. For the foregoing reasons, given that the Commission has now resolved (short of a formal vote on a Report and Order) all remaining issues in this case after today's Agenda meeting, the Company respectfully requests that the Commission properly notice and hold a

² The law does not clearly require a 10-day gap between an order and its effective date and what is reasonable would depend on the circumstances, but one case does suggest that a gap of less than 10 days may be unreasonable. *State ex rel. Office of the Public Counsel v. Pub. Serv. Comm'n*, 409 S.W.3d 522, 528-29 (Mo. App. W.D. 2013). Based on the Commission's Agenda discussion today, the Company believes the Commission intends to hold an Agenda on June 20 for that purpose, and requests that the Commission do so.

Special Agenda Session by Friday, June 9, 2023, to approve and issue the Report and Order in this case, including an order approving the April 7, 2023 Stipulation and Agreement. A delay beyond June 9 would severely undermine the ability to timely implement just and reasonable rates.

6. The harm that will be avoided by granting this request is that the Commission will be able to avoid a delay beyond the statutory operation of law date in this case of implementing rates that it has determined to be just and reasonable. Failing to timely implement new rates will result in a revenue requirement shortfall of approximately \$0.5 million for each day new rates are delayed. Similarly, the benefit of granting this request is that the Company's rates will be timely reset at a level the Commission determined to be necessary to reflect just and reasonable rates. This request was filed as soon as it reasonably could have been under the circumstances given that the Commission's Agenda discussion resolving the last remaining issue for decision in this case occurred earlier today.

WHEREFORE, Ameren Missouri respectfully requests that the Commission properly notice and hold a Special Agenda session by Friday, June 9, 2023, that it vote on its Report and Order resolving this case at said Special Agenda session, and issue its Report and Order, including approval of the April 7, 2023 Stipulation and Agreement, the same day.³

³ And schedule an Agenda on June 20, 2023, in order to approve compliance tariffs.

Respectfully submitted,

/s/ **James B. Lowery**

James B. Lowery, MO Bar #40503
JBL Law, LLC
9020 S. Barry Road
Columbia, MO 65201
Telephone: (573) 476-0050

Jermaine Grubbs, MO Bar #68970
Corporate Counsel
Ameren Missouri
P.O. Box 66149, MC 1310
St. Louis, MO 63166-6149
Telephone: (314) 554-2041
Facsimile: (314) 554-4014
AmerenMOService@ameren.com

**ATTORNEYS FOR UNION ELECTRIC
COMPANY d/b/a AMEREN MISSOURI**

Dated: June 7, 2023

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all parties of record via electronic mail (e-mail) on this 7th day of June, 2023.

/s/ James B. Lowery
James B. Lowery