

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

Application of Union Electric Company)	
d/b/a Ameren Missouri for Approval of a)	
Variance Regarding the Timing of Its)	
Triennial Decommissioning Filing Required)	File No. EE-2024-
by 20 CSR 4240-20.070(4) for the Callaway)	
Energy Center.)	

**NOTICE OF CASE FILING, MOTION FOR EXPEDITED TREATMENT,
AND REQUEST FOR VARIANCE**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), and for its *Notice of Case Filing, Motion for Expedited Treatment, and Request for Variance* (“*Request for Variance*”), states as follows:

INTRODUCTION

1. Pursuant to 20 CSR 4240-20.070(4) requires utilities to submit, every third year, an application for approval of its decommissioning cost estimate for and its proposed funding level for the nuclear decommissioning trust fund. Since Ameren Missouri submitted its last decommissioning application¹ regarding the Callaway Energy Center ("Callaway") on November 5, 2020, its next application is due September 1, 2023. Ameren Missouri filed its sixty day notice and the Commission assigned File No. EO-2023-0448 for the case. ²

2. As it has in the past, Ameren Missouri retained TLG Services, Inc. ("TLG") to perform, under the Company's direction, the site-specific cost study to determine the estimated cost for decommissioning Callaway. While the site-specific cost study is expected to be completed

¹ File No. EO-2021-0050.

² Ameren Missouri submitted a Notice of Case Filing for its decommissioning study on June 30, 2023. *See* EO-2023-0448.

prior to September 1, 2023, Ameren Missouri will need additional time to analyze the report and analyze the cost estimate to develop and update its funding adequacy plan to prepare the triennial application. Accordingly, Ameren Missouri submits this *Request for Variance*, which is organized as follows:

- I. Waiver of 60-day Requirement
- II. Motion for Expedited Treatment
- III. Request to Submit Decommissioning Study on or before December 1, 2023

I. Waiver of 60-day Requirement

3. In order to submit this *Request for Variance*, 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 it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case ..." ³ As indicated in the Affidavit attached as Exhibit A, Ameren Missouri has had no communications with the office of the Commission (as defined by 20 CSR 4240-4.015(10)) regarding any substantive issue regarding this *Request for Variance* during the preceding 150 days. 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 from this requirement.

³ 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.

II. Request for Expedited Treatment

4. As provided for in 20 CSR 4240-2.080(14), the Company requests that the Commission approve this *Request for Variance* so that it can take effect on as soon as possible (e.g., in fewer than 30 days) since the decommissioning study is technically required to be filed by September 1, 2023. As indicated in Paragraph 5 below, Ameren Missouri requires additional time to analyze the report and prepare the filing. There will be no harm on the Company's customers or the general public in approving this *Request for Variance* on an expedited basis. This Application was filed as soon as it could be under the circumstances.

III. Request to Submit Decommissioning Study on or before December 1, 2023

5. As previously noted, pursuant to 20 CSR 4240-20.070(4), Ameren Missouri is required to submit a decommissioning study every three years, and since it submitted its prior decommissioning study on November 1, 2020, in File No. EO-2021-0050, its next decommissioning study is due for submission to the Commission by September 1, 2023. Ameren Missouri retained a consultant, to provide updated, site-specific decommissioning cost estimate. Ameren Missouri then analyzes this cost estimate to develop and update its funding adequacy plan for filing in the triennial application. However, the report will not be finalized until mid-August and Ameren Missouri will need additional time to analyze the cost estimate to prepare the filing. Ameren Missouri is working closely with TLG to provide information needed for the report, but the timing of the final report does not allow Ameren Missouri enough time to analyze the report and prepare the filing. Ameren Missouri will continue to maintain timelines to the extent possible and respectfully requests additional time to ensure accuracy in developing the funding adequacy plan. In order to provide more time to complete the studies necessary in a deliberate and effective manner, and for Ameren Missouri to prepare and submit an application that is as complete and

accurate as possible, the Company respectfully requests an extension through December 1, 2023. While the Company is confident it will be able to submit the study in advance of that date, it is requesting an extension through the first of December to hedge against additional unforeseen circumstances. No other public utility will be affected by the grant of this variance.

CONCLUSION

6. For these reasons stated above, Ameren Missouri has established good cause for a waiver from the 60-day requirement of 20 CSR 4240-4.017(1), for expedited treatment of this *Request for Variance*, and for the grant of an extension through December 1, 2023, to submit its decommissioning study required by 20 CSR 4240-20.070(4).

WHEREFORE, Ameren Missouri respectfully submits this pleading outlining the exigent circumstances surrounding its decommissioning study for Callaway and requests a waiver of the 60-day notice requirement, requests a variance allowing it to submit its triennial decommissioning study and proposed funding levels on or before December 1, 2023, and that this request be granted on an expedited basis.

Respectfully submitted,

**UNION ELECTRIC COMPANY,
d/b/a Ameren Missouri**

/s/ Jennifer S. Moore

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Request was served on the parties of record in this case via electronic mail (e-mail) on this 26th day of July, 2023.

/s/ Jennifer S. Moore
Jennifer S. Moore