

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

In the Matter of Union Electric Company d/b/a            )  
Ameren Missouri’s 2nd Filing to Implement            )  
Regulatory Changes in Furtherance of                )  
Energy Efficiency as Allowed by MEEIA.                )            File No. EO-2015-0055

**JOINT REPLY OF NHT AND TOWER GROVE TO AMEREN  
MISSOURI’S RESPONSE TO COMMISSION ORDER**

COMES NOW the National Housing Trust (“NHT”) and Tower Grove Neighborhoods Community Development Corporation (“Tower Grove”), by and through the undersigned counsel, and for their Joint Reply to Ameren Missouri’s *Response to Commission Order*, states as follows:

**I. Introduction**

1. In its September 9, 2015 Agenda meeting, Commissioners raised two issues with the June 30, 2015 Non-Unanimous Stipulation and Agreement filed in the above styled case by Ameren Missouri, Division of Energy (“DE”) and other parties (“June 30 Stipulation”). Those issues were the absence of retrospective Evaluation, Measurement and Verification (“EM&V”) in calculating the throughput disincentive, and the absence of a component of supply side investment reduction in calculating the performance incentive. The Commission’s Order directed parties to report back whether further negotiations that address those issues could be productive in reaching some agreement on a Cycle 2 MEEIA Plan.

2. After several rounds of discussion and negotiations with the parties and multiple approved extensions, Ameren Missouri filed its Response to Commission Order on September 25, 2015 in which it stated its belief that further discussion would not lead to a negotiated plan.<sup>1</sup>

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<sup>1</sup> Ameren Missouri, *Response to Commission Order*, September 25, 2015, p. 1.

In its Response, the Company described three additional modifications to the June Agreement to address the Commission’s concerns, and encouraged the Commission to approve the June 30 Stipulation with those additional modifications.

3. Ameren Missouri included the following modifications in its September 25 filing, which it offered in response to the concerns raised in the Commission’s September 9 agenda meeting and subsequent Order:

a. Retrospective Evaluation, Measurement and Verification (“EM&V”) of the net shared benefits received to address the Company’s throughput disincentive (“TD-NSB”), with any over-recovery credited against the Performance Incentive. In addition, Ameren Missouri proposed using the results of retrospective EM&V to annually update the Company’s technical resource manual (“TRM”);

b. Inclusion of a demand-based metric for the performance incentive component, resulting in 25% of the performance incentive being based on demand reductions;

c. The Company proposed an industry-wide workshop be established to examine alternatives to the TD-NSB approach.

4. Since Ameren Missouri’s September 25 filing, the Company has participated in discussions with the National Housing Trust (“NHT”), Tower Grove Neighborhoods Community Development Corporation (“Tower Grove”), and Renew Missouri. Following those conversations, on October 1, 2015, Ameren Missouri’s Director of Energy Efficiency and Demand Response – Dan Laurent – signed a notarized affidavit committing to modify the Company’s proposed MEEIA Plan with several additional terms (see attached *Affidavit of Daniel G. Laurent*). The additional terms relevant to the Multifamily Low-Income (“MFLI”) program include:

a. Agreement that low-income multifamily customers and buildings under the Company's 1(M) Service Classification will be eligible to participate in the MFLI program and utilize the 25% bonus incentive;

b. Agreement that participants receiving low-income energy audits through the MFLI program and one-stop-shop approach will be provided available information of how to estimate costs.

**II. NHT and Tower Grove Support Approval of the MFLI Program in the June 30 Stipulation, as Modified by the Company's September 25 Response, and the Affidavit of Dan Laurent.**

5. NHT and Tower Grove today offer their support for Commission approval of the MFLI program found in the June 30, 2015 Stipulation and Agreement, as modified by Ameren Missouri's September 25 filing and the attached Affidavit of Dan Laurent.

6. Approval of the modified programs will result in access to energy efficiency incentives that have never been available to many low-income customers and owners of affordable multifamily buildings in Ameren Missouri's service territory. In addition, we believe the modified MFLI program could help to smooth Ameren Missouri's glide path for compliance with the Clean Power Plan and lay the groundwork for continued progress toward a more efficient future for all Missourians.

7. NHT and Tower Grove were not signatories to either of the competing stipulations and agreement filed in this case. The parties' interest and involvement in this case has been limited to program offerings for low-income and multifamily customers and building owners. At hearing and in subsequent briefs, NHT and Tower Grove opposed the MFLI program found in the June 30 Stipulation when it was filed because it lacked key program details. Given

the commitments made in the attached affidavit, NHT and Tower Grove believe the modified MFLI program should now be approved.

WHEREFORE, the National Housing Trust and Tower Grove Neighborhoods Community Development Corporation request that the Commission accept their Joint Reply to Ameren Missouri's *Response to Commission Order* for inclusion in this case.

Respectfully Submitted,

/s/ Andrew J. Linhares

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct PDF version of the foregoing was filed on EFIS and electronically mailed to all counsel of record on this 2nd day of October, 2015.

/s/ Andrew J. Linhares

Andrew J. Linhares