

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

In the Matter of the Application of)	
Union Electric Company for Authority)	
To Continue the Transfer of)	Case No. EO-2011-0128
Functional Control of Its Transmission)	
System to the Midwest Independent)	
Transmission System Operator, Inc.)	

**JOINT MOTION OF AMEREN MISSOURI, THE STAFF, THE OFFICE OF THE
PUBLIC COUNSEL AND THE MISSOURI INDUSTRIAL ENERGY CONSUMERS TO
MODIFY APRIL 19, 2012 REPORT AND ORDER**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or the “Company”), the Staff of the Missouri Public Service Commission (“Staff”), the Office of the Public Counsel (“OPC”) and the Missouri Industrial Energy Consumers (“MIEC”), by and through counsel, and hereby request that the Commission modify its April 19, 2012 *Report and Order** in this case and, as reasons for their request, state as follows:

1. On April 19, 2012, the Commission issued its *Report and Order* in this case resolving the Company’s third Commission proceeding through which the Company sought authority to participate, and continue its participation, as a transmission-owning member of the Midcontinent Independent System Operator, Inc.¹ (“MISO”).² As in each of its prior MISO participation cases, the *Report and Order** required that the Company initiate a subsequent case by a date certain (November 15, 2015) respecting its continued participation, and imposed certain other conditions relating to cost-benefit studies and the continuation of the terms of a Service Agreement by and between Ameren Missouri and MISO, which was approved by both

* Clarified by the Commission’s May 17, 2012, *Order Granting Ameren Missouri’s Motion to Clarify Report and Order*.

¹ Formerly known as the Midwest Independent Transmission System Operator, Inc.

² The Commission first approved the Company’s participation in MISO in Case No. EO-2003-0271, and subsequently approved its continued participation in Case No. EO-2008-0134, and in this case.

the Commission and the Federal Energy Regulatory Commission (“FERC”) as part of Ameren Missouri’s initial MISO participation case, Case No. EO-2003-0271.

2. One of the requirements in the *Report and Order** was that by September 30, 2014 the Company was to consult with stakeholders (as defined by the *Report and Order**, as clarified) respecting its plan for a cost-benefit analysis to be conducted in 2014-2015 prior to the contemplated case filing on November 15, 2015. Ameren Missouri has consulted with the stakeholders, and as a result of those discussions the stakeholders who are signatories to this Joint Motion reached a consensus that it would be more beneficial for the Company and the signatory stakeholders, and the Commission itself, to delay Ameren Missouri’s next regional transmission organization (“RTO”)/independent coordinator of transmission (“ICT”)-related case filing for two years, to November 15, 2017, with a concomitant delay in proceeding with preparation for and the conduct of a further cost-benefit study, than it would be to proceed on the current schedule with a cost-benefit study at this time and with another case filing by November 15, 2015. One stakeholder, the Missouri Joint Municipal Electric Utility Commission (“MJMEUC”) did not agree that a delay was beneficial. The other stakeholders to File No. EO-2011-0128 are MISO, The Empire District Electric Company (“Empire”), and the Southwest Power Pool, Inc. (“SPP”). MISO and Empire have indicated that they do not oppose the relief sought in this joint filing, while SPP has not stated a position.

3. There are several reasons that the signatories reached consensus on the appropriateness of extending the date of Ameren Missouri’s next RTO/ICT-related case filing for two years.³ One of the comparisons ordered for the next cost-benefit study pursuant to the

³ Ameren Missouri has agreed that Ameren Services transmission personnel will provide the stakeholders a presentation on the current and near term plans for Ameren (Ameren Missouri, ATX, and ATXI) regarding local and regional transmission construction in Missouri, including the Mark Twain Project and the Big Muddy Project.

*Report and Order** is to study participation by Ameren Missouri in MISO versus participation in SPP. However, SPP has only recently commenced operation of its Integrated Marketplace, and data from its operation (which is a very significant component of SPP costs-benefits) would be relatively limited for a study that would commence in early 2015 and would have to be largely completed by mid-2015 in order to utilize the same for a November 2015 filing. Moreover, it is expected that in October 2015, SPP will fully integrate Heartland Consumers Power District (“Heartland”), Basin Electric Power Cooperative (“Basin”) and Western Area Power Administration (“WAPA”) into the SPP footprint. Heartland//Basin/WAPA do business in approximately 15 states from the Canadian border to the Mexican border west of the states of Wisconsin, Illinois, Missouri, Oklahoma and Louisiana and will expand SPP’s footprint by approximately 900,000 square miles. Under the contemplated integration terms, including the sharing of additional transmission costs and the impact of the carve-out treatment of some market costs, additional time would allow analysis of the monetary impacts to other SPP market participants. In summary, at this point it is impossible to model the impact of Heartland//Basin/WAPA’s integration on the costs-benefits of their participation in SPP, thus impairing the Company’s ability to complete a reasonably accurate comparison of the costs-benefits of Ameren Missouri’s continued participation in MISO versus possible participation in SPP.

Ameren Missouri has also agreed to provide the Staff with the information that is reasonably available to Ameren Missouri on 18 data/information items Staff has requested which the Staff has indicated is relevant to some work the Staff would like to do regarding Ameren Missouri’s RTO/ITC participation. Ameren Missouri has also agreed to provide MIEC’s consultants with the information that it provides to the Staff on the 18 data/information items that Staff has requested through the conclusion of Ameren Missouri’s next RTO/ITC case at the Missouri commission. The agreed-upon information will be considered provided in this docket under the terms of Commission rule 4 CSR 240-2.135.

MISO has also very recently undergone significant change with the partial integration of the Entergy Companies to form the new MISO South region within MISO's footprint. The impacts of that integration on MISO costs-benefits will be much clearer two years from now than they are today.

In addition, there will be no final United States Environmental Protection Agency ("USEPA") greenhouse gas (Clean Air Act 111d) rule until at least June 2015. By then the cost-benefit study needed to make a November 2015 case filing will be essentially done, and thus it will be impossible in that cost-benefit study to accurately model EPA's final rule, which may vary significantly from its proposed rule (even assuming that the implementation of such a rule is not delayed due to litigation).

Finally, the conduct of cost-benefit studies respecting RTO participation or other options is an extremely time-consuming and resource intensive endeavor, and it is also costly. The signatories agree that in view of the items noted above, their time and resources and that of the Commission itself are better utilized by engaging in certain informal discussions in about one year and by then developing a formal cost-benefit study, and the initiation of Ameren Missouri's next RTO/ICT-related case, by November 2017.

4. In requesting that the Commission modify the *Report and Order** the signatories' intention is to continue unchanged the current terms of Ameren Missouri's MISO participation, including the effectiveness of the Service Agreement, and to otherwise continue the terms of the *Report and Order**, except for a modification of the timeline for the conduct of a further cost-benefit study and the filing of the next RTO/ICT-related case, and also except for the signatories' agreement to an interim process to occur in the third or fourth quarter of 2015 to

discuss whether conducting a further cost-benefit study, and initiating the next RTO/ICT-related case earlier than 2017, might be appropriate due to intervening developments.

5. In this regard, the signatories' agree that on or before September 30, 2015, Ameren Missouri should convene a stakeholder meeting or meetings to discuss any developments that may be pertinent to its continued MISO participation versus participation in another RTO or as an ICT. The signatories further agree that after such a meeting(s) any stakeholder could petition the Commission to further modify its *Report and Order**, as modified as requested herein, to change the timing of the conduct of a further cost-benefit study and subsequent filing of Ameren Missouri's next RTO/ICT-related case.

6. The specific proposed modifications of the *Report and Order*, as the *Report and Order* was clarified by the Commission's May 17, 2012, *Order Granting Ameren Missouri's Motion to Clarify Report and Order*, are as follows:

- a. Modify the dates in ordered ¶ 2.A to May 31, 2016.
- b. Modify the first date in ordered ¶ 2.B to September 30, 2016, and the next two dates to May 31, 2018.
- c. Modify the date in ordered ¶ 2.C to December 1, 2016.
- d. Modify the first date in ordered ¶ 2.D to November 15, 2017, and the next two dates to May 31, 2018.
- e. Modify the date in ordered ¶ 2.E to November 15, 2017.
- f. Modify the date in ordered ¶ 2.I to November 15, 2017.
- g. Modify the first two dates in ordered ¶ 2.O to May 31, 2018, and the last date to December 15, 2017.

- h. Substitute for the language regarding the investigatory case ordered in ¶ 2.R, which has been completed, the following language: “The investigatory case (File No. EW-2012-0369) ordered in the Report and Order* in ¶ 2.R has been completed.”
- i. Clarify that the Commission’s “next order regarding Ameren Missouri’s participation . . .,” as referenced in the last sentence of ordered ¶ 2.S, will be the Commission’s next Report and Order in the case contemplated to be filed by Ameren Missouri on or before November 15, 2017.
- j. Change “Midwest Independent Transmission System Operator” in ¶ 2.T to Midcontinent Independent System Operator.
- k. Ordering the signatories’ agreements reflected in ¶ 5 hereof.

7. Except as requested herein and as previously clarified, the *Report and Order*, would remain in full force and effect.

WHEREFORE, the signatories request that the Commission make and enter its order modifying the *Report and Order**, as specified in ¶ 6 herein.

Dated: November 24, 2014

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via e-mail on counsel for the parties of record to this case, on this 24th day of November, 2014.

/s/James B. Lowery
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