

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri for a Variance from) File No. EE-2019-____
4 CSR 240-23.020(3)(C).)

NOTICE OF CASE FILING AND REQUEST FOR VARIANCES

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "the Company"), and pursuant to 4 CSR 240-2.060(4), 4 CSR 240-4.017, and 4 CSR 240-23.020(5), submits this *Notice of Case Filing and Request for Variances* ("*Notice and Request*") which would relieve the Company from the 60-day notice requirement of 4 CSR 240-4.017(1)(D), and allow the Company additional time - until March 31, 2019 - to complete the annual inspection process described in 4 CSR 240-23.020. In support of its position, Ameren Missouri states as follows:

INTRODUCTION

1. 4 CSR 240-23.020 requires electrical corporations to "have personnel, sufficiently trained in inspections, conduct inspections of its transmission and distribution facilities operated above 600 volts..." and to file compliance plans with the Missouri Public Service Commission ("Commission") describing its schedule for annual inspections. In 2018, Ameren Missouri's corrective action schedule was disrupted by certain factors, particularly by its deployment of resources in an effort to assist in the restoration of electric services to Puerto Rico that were devastated by Hurricane Maria. As the year progressed and Ameren Missouri continued analysis of its needs for the remainder of the year, the Company realized that it would require additional time to complete corrective actions identified during the inspection process anticipated in 4 CSR

240-23.020. Ameren Missouri therefore requests an extension of time to complete the corrective actions scheduled for 2018 until March 31, 2019.

2. Under 4 CSR 240-4.017(1)(D), waivers of the 60-day notice may be granted for good cause shown. Good cause includes, among other things, providing a verified statement that no communications have occurred with the office of the Commission within the preceding 150 days regarding a substantive issue likely to be in the case. Ameren Missouri meets this requirement. Through this pleading, the Company provides notice that this case involves a variance request for the completion of certain infrastructure inspections, as described above.

3. In support of its position and in compliance with 4 CSR 240-23.023(5), 4 CSR 240-2.060(1), 4 CSR 240-2.060(4), and 4 CSR 240-4.017(1)(D), Ameren Missouri provides the required information in the following sections of this *Notice and Request*:

- I. 4 CSR 240-2.060(1), (A) through (M)¹
- II. Requested Variances

I. 4 CSR 240-2.060(1), (A) through (M)

Paragraph (A) – Applicant

4. The Company is a Missouri corporation doing business under the fictitious name of Ameren Missouri, organized and existing under the laws of the State of Missouri, in good standing in all respects, with its principal office and place of business located at One Ameren Plaza, 1901 Chouteau Avenue, St. Louis, Missouri 63103. The Company is engaged in providing electric and gas utility services in portions of Missouri as a public utility under the jurisdiction of the Commission. The Company is a subsidiary of Ameren Corporation.

¹ Those requesting variances pursuant to 4 CSR 2.060(4) must also provide the information required by 4 CSR 2.060(1).

Paragraph (B) – Articles of Incorporation; Paragraph (E) – Fictitious Name; Paragraph (G) – Information Previously Submitted; Paragraph (H) – Character of Business²

5. Ameren Missouri previously submitted to the Commission a certified copy of its Articles of Incorporation (See Case No. EA-87-105), as well as its Fictitious Name Registrations as filed with the Missouri Secretary of State's Office (See Case Nos. EN-2011-0069 and GN-2011-0070). The Company also recently submitted to the Commission a certified copy of its Certificate of Corporate Good Standing in File No. EA-2018-0202. These documents are incorporated by reference and made a part of this *Notice and Request* for all purposes.

Paragraph I – Correspondence and Communication

6. Correspondence and Communication -- Correspondence, communications, orders and decisions in regard to this *Notice and Request* should be sent to the undersigned counsel:

For the Company:

Paula N. Johnson
Senior Corporate Counsel
Ameren Missouri
1901 Chouteau Avenue
PO Box 66149
St. Louis, MO 63166-6149
(314) 554-3533 (phone)
(314) 554-4014 (fax)
AmerenMOService@ameren.com

Paragraph (K) – Actions, Judgments, and Decisions; Paragraph (L) – Fees³

7. Ameren Missouri has no final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates that have occurred within three years of the date of this *Notice and Request*. By the nature of its business, the Company has, from time-to-time, pending actions in state and federal agencies and courts involving customer

² Paragraphs (C), (D), and (F) do not apply to Ameren Missouri.

³ Paragraph (J) does not apply to Ameren Missouri.

service or rates. The Company has no annual report or assessment fees overdue to this Commission.

Paragraph (M) – Affidavit

8. An affidavit in support of this *Notice and Request* by an officer of the Company is included as Exhibit A.

II. Requested Variances

9. 4 CSR 240-4.017(D) allows a variance from the 60-day notice requirement for good cause shown. 4 CSR 240-23.020(5) also allows variance from provisions of the Electrical Corporation Infrastructure Standards rule when good cause is shown. The good cause for each of these is discussed in more detail below.

A. 60-Day Notice Requirement

10. Ameren Missouri requests a variance from the 60-day notice requirement of 4 CSR 240-4.017, 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 4 CSR 240-4.017(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..."⁴ As indicated in the Affidavit attached as Exhibit A, Ameren Missouri has had no communications with the office of the Commission (as defined by 4 CSR 240-4.015(10)) regarding any substantive issue likely to be in this case during the preceding 150 days. Accordingly, Ameren Missouri has

⁴ 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.

established good cause for a waiver from the 60-day requirement of 4 CSR 240-4.017(1). No other public utility will be affected by granting the Company a waiver from this requirement.

B. Corrective Actions

11. Ameren Missouri requests variances from 4 CSR 240-23.020(3)(C) which reads, in relevant part:

4 CSR 240-23.020(3)(C)

Each electrical corporation subject to this rule shall file with the commission an annual report detailing its compliance with this rule during the prior calendar year...The report shall also present the total number and percentage breakdown of equipment rated at each condition rating level, including that equipment determined to be in need of corrective action...The report shall also present the total number and percentage breakdown of equipment rated at each condition rating level, including that equipment determined to be in need of corrective action. Where corrective action was scheduled during the reporting period, the report shall present the total number and percentage of equipment that was or was not corrected during the reporting period. For those instances in which equipment was scheduled to have corrective action but the equipment was not corrected during the reporting period, an explanation shall be provided, including a date certain by which required corrective action will occur. The report shall also present totals and the percentage of equipment in need of corrective action, but with a scheduled date beyond the reporting period, classified by the amount of time remaining before the scheduled action.

In other words, the Company must provide a schedule for repairs arising out of the required system inspections, and adhere to that schedule to the extent possible. Given the rationale and the time period required for completion of the repairs scheduled for 2018, the Company is requesting a variance from its report submitted pursuant to these rules now rather than waiting until its next report to explain.

12. As previously noted, Ameren Missouri's corrective action schedule was disrupted in 2018 by certain factors, particularly by its deployment of resources in an effort to assist in the restoration of electric services to Puerto Rico that were devastated by Hurricane Maria. Ameren Missouri, and its sister utility Ameren Illinois, deployed resources to assist in the restoration effort from January to April 2018. As the year progressed and Ameren Missouri continued analysis of

its resource needs for the remainder of the year, the Company realized that it was facing a delay in completing its corrective actions scheduled pursuant to the requirements of 4 CSR 240-23.020 for completion by December 31, 2018. Ameren Missouri asks only for a three-month delay to complete these activities – through March 31, 2019. Because of the short duration of the requested delay, granting this variance will not cause a significant impact to the company's provision of safe and adequate service pursuant to Section 393.130.1 RSMo. Finally, because this only involves corrective actions for Ameren Missouri's infrastructure, no other public utility will be impacted by the grant of these variances.

WHEREFORE, Ameren Missouri respectfully requests that the Commission grant the requested variance of 4 CSR 240-4.017 of the 60-day notice requirement for this case, and the variances of 4 CSR 24-23.020(3)(C), which will allow Ameren Missouri until March 31, 2019, to complete its annual inspections.

Respectfully submitted,

/s/ Paula N. Johnson

Paula N. Johnson, #68963
Senior Corporate Counsel
1901 Chouteau Avenue, MC 1310
St. Louis, Missouri 63166-6149
(314) 554-3533 (phone)
(314) 554-4014 (facsimile)
amerenmoservice@ameren.com

ATTORNEY FOR UNION ELECTRIC
COMPANY, d/b/a AMEREN MISSOURI

In the Matter of Union Electric Company d/b/a)
Ameren Missouri for a Variance from) File No. EE-2019-
4 CSR 240-23.020(3)(A) and (B).)

STATE OF MISSOURI)
) ss
CITY OF ST. LOUIS)

1. My name is Patrick E. Smith, Sr. I work in the City of St. Louis, Missouri, and I am employed by Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") as Vice President – Division Operations. I direct personnel responsible for the design, construction, and maintenance of Ameren Missouri's electric energy distribution systems.

2. Neither Ameren Missouri, nor any person on its behalf, has had any communications with the office of the Commission regarding any substantive issue likely to be an issue in the case initiated by this filing during the preceding 150 days.

3. I hereby swear and affirm that the information contained herein and in the Notice of Case Filing and Request for Variances is true and correct.

PLS H S

Patrick E. Smith, Sr.

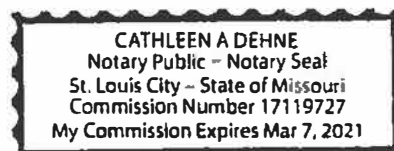
Subscribed and sworn to before me this 20th day of September, 2018.

Cathleen A Dehne

Notary Public

My commission expires:

March 7, 2021



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the Staff of the Commission and the Office of the Public Counsel on this via electronic mail (e-mail) on this 20th day of September, 2018.

/s/ Paula N. Johnson

Paula N. Johnson