

**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-2021-
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 application<sup>1</sup> with regard to the Callaway Energy Center ("Callaway") on September 1, 2017, its next application is due September 1, 2020.

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. Unfortunately, the challenges presented to both Ameren Missouri and TLG by COVID-19, combined with delays caused by tropical storms creating power

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<sup>1</sup> File No. EO-2018-0051.

and internet outages, have caused delays in the study process.<sup>2</sup> Ameren Missouri therefore 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 by December 31, 2020

### **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 ..."<sup>3</sup> 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.

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<sup>2</sup> Ameren Missouri is simultaneously submitting a Notice of Case Filing for its decommissioning study.

<sup>3</sup> 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, 2020. As indicated in Paragraph 5 below, the COVID-19 pandemic and the occurrence of tropical storms have created delays in the study process. 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 in light of difficult and uncontrollable circumstances.

## **III. Request to Submit Decommissioning Study by December 31, 2020**

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 September 1, 2017, in File No. EO-2018-0051, its next decommissioning study is due for submission to the Commission by September 1, 2020. Ameren Missouri retained a consultant, to provide an updated, site-specific decommissioning cost estimate. Ameren Missouri then analyzes this cost estimate to develop and update its funding adequacy plan and prepare the triennial application. However, the COVID-19 pandemic has made the coordination of information sharing with TLG challenging. While the parties continued to press forward and maintain timelines to the extent possible, recent weather has compounded these issues. Additionally, TLG is located in New Orleans, Louisiana, which has also been subject to recent tropical storms that have caused power and internet outages. Because of these exigent circumstances, the sharing of information has been challenging and work schedules have been difficult to maintain. 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 requests an extension through December 31, 2020. 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 end of the year in order 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 31, 2020, 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 no later than December 31, 2020, and that this request be granted on an expedited basis.

Respectfully submitted,

UNION ELECTRIC COMPANY,  
d/b/a Ameren Missouri

/s/ Paula N. Johnson

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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 24th day of August, 2020.

/s/ Paula N. Johnson  
Paula N. Johnson