

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

In the Matter of the Change in Rates for Ameren)
Missouri Company Associated With the Tax Cuts) Case No. _____
Jobs Act of 2017.)

**MOTION TO ESTABLISH RATE CASE DOCKET
AND ORDER FILING OF AMEREN TESTIMONY
AND MOTION FOR EXPEDITED TREATMENT**

COME NOW, the Midwest Energy Consumers Group (“MECG”) and for its Motion to Establish Rate Case Docket and Order Filing of Ameren Testimony respectfully state as follows:

1. On May 16, 2018, Senate Bill 564 was Truly Agreed To and Finally Passed by the General Assembly. On June 1, 2018, that bill was signed by the Governor. Section 393.137, enacted as part of SB564, provides the Commission with the one-time authority to reduce electric rates to account for the effects of the Tax Cut and Jobs Act. That provision applies to all electric utilities that do not have a “general rate proceeding” pending with the Commission “as of the later of February 1, 2018, or the effective date” of Section 393.137.

2. On February 21, 2018, prior to the passage of SB564, the Commission opened up Docket No. ER-2018-0226 for the purpose of quantifying the impact of the Tax Cut and Jobs Act. On May 17, 2018, following the passage of SB564 by the General Assembly, the Staff moved to dismiss that docket out of concern that it would be considered a “general rate proceeding” under Section 393.137.1 and

preclude the Commission from exercising authority to reduce Ameren retail rates under the new legislation. On the same day, the Commission dismissed Case No. ER-2018-0226. Thus, Section 393.137 extends authority to the Commission to adjust Ameren's retail rates and there is no other docket to consider the impact of the Tax Cut and Jobs Act.

3. The Commission's authority under Section 393.137 must be exercised within ninety (90) days of the effective date of Section 393.137. Recognizing that Section 393.137 carries an emergency clause, it became effective upon signature of the Governor.

4. As the Commission undoubtedly realizes, ninety days to exercise such authority is extremely expedited. Filing testimony, conducting discovery, litigating a case and issuing an order within 90 days is extremely ambitious. Given this, MECG asks that the Commission open this investigatory docket immediately.

5. Also as part of this docket, MECG asks that the Commission order Ameren to file direct testimony on the effect of the Tax Cut and Jobs Act on its retail rates. Specifically, MECG asks that the Commission order Ameren to file such testimony on or before June 8, 2018. As the Commission realizes from Ameren's pleading in Case No. ER-2018-0226, Ameren has already conducted its quantification of the effects on retail rates. As such, Ameren should be able to reduce its conclusions to testimony in short order. Allowing Ameren to unduly

delay this already expedited proceeding by dragging out the filing of its testimony will render a hardship to all other stakeholders including the Commission.

MOTION FOR EXPEDITED TREATMENT

6. Pursuant to 4 CSR 240-2.080(14), MECG seeks expedited treatment for this motion. As indicated, the purpose of this filing is to expeditiously establish a docket so that it may be processed within the statutory 90 day period contained in Section 393.137. Indeed, the purpose of this motion is undermined if a significant period of time is spent arguing over the establishment of this docket and the period for filing of Ameren testimony. As such, MECG asks that the Commission act in an expeditious fashion to establish this docket and order the filing of Ameren's testimony.

7. With this in mind, MECG asks that the Commission act by Wednesday, June 6, 2018, to take the actions requested in this motion. Absent such action, the Commission and the interested stakeholders will be harmed by being forced into an unduly expedited 90-day docket.

8. While the Tax Cut and Jobs Act went into effect on January 1, 2018, Senate Bill 564 was not signed by the Governor until June 1, 2018. Therefore, MECG has acted in an expeditious manner in making this filing.

WHEREFORE, MECG respectfully requests that the Commission:

- 1) Open up a rate case docket for the purpose of quantifying the impact on Ameren retail rates of the 2017 Tax Cut and Jobs Act;
- 2) Order Ameren to file direct testimony on or before June 8, 2018 detailing its quantification of the effect of the Tax Cut and Jobs Act on its retail rates;
- 3) Make automatic parties of all parties to Case No. ER-2018-0226;
- 4) Act in an expedited manner to approve this motion;
- 5) Schedule a procedural conference for the purpose of setting a procedural schedule for the remainder of the 90-day time provided by Section 393.137.
- 6) For such further relief consistent with this pleading as the Commission deems appropriate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David L. Woodsmall". The signature is stylized with a large, circular initial "D" and a long, sweeping horizontal stroke at the end.

David L. Woodsmall, MBE #40747
308 E. High Street, Suite 204
Jefferson City, Missouri 65101
Telephone: (573) 636-6006
Facsimile: (573) 636-6007
david.woodsmall@woodsmalllaw.com

ATTORNEY FOR THE MIDWEST
ENERGY CONSUMERS GROUP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.

A handwritten signature in black ink, appearing to read "David L. Woodsmall", written in a cursive style.

David L. Woodsmall

Dated: June 1, 2018