

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

In the Matter of a Determination of Special)	
Contemporary Resource Planning Issues to be)	
Addressed by Ameren Missouri in its Next)	File No. EO-2015-0039
Triennial Compliance Filing or Next Annual)	
Update Report.)	

AMEREN MISSOURI'S RESPONSE TO STAFF RECOMMENDATION

COMES NOW Union Electric Company d/b/a Ameren Missouri (Ameren Missouri or Company), and for its *Response to Staff Recommendation*, states as follows:

1. On September 3, 2014, Ameren Missouri requested a variance from 4 CSR 240-22.080(3) and the requirement for it to conduct an annual update workshop (and associated report) in 2015.

2. On September 15, 2014, the Staff of the Missouri Public Service Commission (Staff) filed *Staff's Recommendation to Grant Ameren Missouri a Variance From 4 CSR 240-22.080(3) Subject to Certain Requirements (Staff Recommendation)*. The *Staff Recommendation* agreed that good cause exists for the Missouri Public Service Commission (Commission) to grant Ameren Missouri the requested variance. However, the *Staff Recommendation* went on to request that Ameren Missouri be required to file an April 1, 2015 status report on certain issues, which the pleading went on to enumerate. The *Staff Recommendation* also stated that parties should be given an opportunity to submit comments in response to the status report.

3. The *Staff Recommendation*, in reality, is for Ameren Missouri to still file an annual report in 2015, albeit a scaled-back version as compared to a report that would meet the requirements of 4 CSR 240-22.080(3). For the reasons outlined in the Company's variance request and herein, the Commission should grant Ameren Missouri a complete variance from the 2015 annual report requirements. As the variance request explained, Ameren Missouri's initial

Integrated Resource Plan (IRP) filing will be made on October 1, 2014. Given the procedural requirements of the Commission's IRP rules, there will be no final order in the Company's IRP case as of April 1, 2015. Thus, any requirement to provide an update of any portion of the filing does not offer value to the Commission or stakeholders. The *Staff Recommendation* provides no real justification for providing even an abbreviated “annual” update regarding an IRP filing that will not have been on file for a year (as of April 1, 2015). The purpose of the annual update is for the stakeholders to stay informed regarding certain items, and to do so *annually*. Given that undoubtedly the IRP will remain under active discussion in April 2015, there is no need to in effect require a semi-annual update about a filing that will, at that time, only have been made six months earlier.

4. Additionally, Ameren Missouri finds some of the suggested items for the status report to be troublesome. First, the *Staff Recommendation* requests an update on Ameren Missouri's current, near and long-term plans to protect its system infrastructure from cyber, physical and electromagnetic pulse threats (labeled iv on page 6). Ameren Missouri has serious concerns about this request, especially as it pertains to its plans to protect against cyber and physical threats. The Commission may remember that it has opened a workshop on cybersecurity issues and Staff has filed several recommendations, including a recommendation that electric utilities provide a report to the Commission on cyber issues on an annual basis.¹ The Commission, after holding an on-the-record discussion with the utilities and interested parties, issued an order that in part stated:

To the extent the Commission’s Staff’s recommendations address reporting or notification requirements to the Commission, the stakeholders shall conduct further discussions and formulate an informal reporting schedule, wherein the electric utilities shall

¹ File No. EW-2013, 0011, Staff Report, February 8, 2013.

provide information to designated members of the Commission's Staff at timely intervals no less than annually. No notifications or reports concerning the matters outlined in Staff's recommendation shall be made in documentary form, i.e. no physical, digital or electronic reports shall be produced or filed in any docket, workshop, investigation or case, either noncontested or contested; nor shall the information provided to Staff be transmitted electronically to Staff or shared with any other entity. The information shall only be reported orally to designated Staff members, unless the Commission directs otherwise.²

5. The Staff's recommendation on this matter goes beyond what the Commission determined appropriate in the earlier workshop. The Commission reached its conclusion in the workshop, in large part due to concerns about making this type of information public and perhaps because the Commission did not want that information stored in multiple locations (at the utility and at the Commission), ultimately providing more targets for those who may attempt to discover and misuse the information. Ameren Missouri has held discussions on both cyber and physical security issues with Staff in the past and had anticipated those interactions, which do not leave a paper trail, would be continued. This recommendation is inappropriate and should not be approved under any circumstances.

6. A second status report issue listed in the *Staff Recommendation* (labeled v. on page 6) is related to providing a range of potential levels of distributed generation in the Company's service territory for the 20-year planning horizon. This analysis will be contained in the Company's October 1st IRP submission and, as Ameren Missouri's variance request explains, it does not make sense to require a semi-annual update or additional information on this matter before the Commission has fully processed the IRP case – which Staff concurs will not have been done by April 1, 2015.

² File No. EW-2013-0011, Order Regarding Staff Recommendation and Motion for a Waiver or Variance, March 13, 2013, p. 2.

7. The remaining recommendations are less troublesome, but still go beyond what is necessary for the IRP process or is contemplated by the IRP rules. Staff's recommendations contain no rationale of why, for example, it is necessary or beneficial to require an update of the Company's critical uncertain factors or to update the Company's progress in implementing the resource acquisition strategy a mere six months after the original IRP is filed and before the case is concluded. On an annual basis some of these requirements may make sense, but requiring them earlier in the process does not.

WHEREFORE, Ameren Missouri respectfully submits its response to the *Staff Recommendation* filed in this case, and requests that the Staff's recommendations be denied.

Respectfully submitted,

UNION ELECTRIC COMPANY,
d/b/a Ameren Missouri

/s/ Wendy K. Tatro

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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 September, 2014.

/s/ Wendy K. Tatro

Wendy K. Tatro