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Sponsoring Party:	Union Electric Company
File No.:	ER-2022-0337
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MISSOURI PUBLIC SERVICE COMMISSION

FILE NO. ER-2022-0337

REBUTTAL TESTIMONY

OF

MITCHELL LANSFORD

ON

BEHALF OF

UNION ELECTRIC COMPANY
D/B/A AMEREN MISSOURI

St. Louis, Missouri
February, 2023

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REBUTTAL TESTIMONY

OF

MITCHELL LANSFORD

FILE NO. ER-2022-0337

I. INTRODUCTION

Q. Please state your name and business address.

A. My name is Mitchell Lansford. My business address is One Ameren Plaza, 1901 Chouteau Ave., St. Louis, Missouri.

Q. Are you the same Mitchell Lansford that submitted direct testimony in this case?

A. Yes, I am.

Q. Are you sponsoring any schedules in connection with your testimony?

A. Yes, I am sponsoring, and have attached to my rebuttal testimony, Schedule MJL-R1 – *Income Tax Illustrative Example*.

Q. To what testimony or issues are you responding?

A. My rebuttal testimony responds to the following issues: (1) Meramec Investment (Staff witness Majors); (2) Allowance for funds used during construction (OPC witness Dave Murray); (3) Continuing Plant Inventory Record (Staff witness Cunigan); (4) Meramec insurance expense (Staff witness Nieto); (5) Non-labor power plant maintenance (Staff witness Nieto); (6) Non-qualified pension expense (Staff witness Giacone); (7) Vegetation management & infrastructure inspection (Staff witness Majors); (8) Communications expenses (Staff witness Nieto and OPC witness Marke); (9) Lease expense (Staff witness Giacone); (10) Call center costs (Staff witness Nieto); (11) Nuclear waste disposal

(Staff witness Young); (12) Electric vehicle employee incentive (Staff witness Lyons); (13) Short-term incentive compensation (Staff witness Young); (14) Rate case expense (Staff witness Giacone); (15) Renewable Energy Standard ("RES") tracker base (Staff witness Lyons); (16) Legal expenses (Staff witness Majors); (17) Other amortization amounts (Staff witnesses Giacone and Young); (18) Property taxes (Staff witness Lyons); (19) Inflation Reduction Act (Staff witness Young); (20) Income Taxes (Staff witness Young); (21) Equity issuance costs (Staff witness Lyons); and (22) Other Items (various Staff witnesses).

II. MERAMEC INVESTMENT

Q. Please summarize Staff's position in this case related to unrecovered Meramec investment arising from the Unanimous Stipulation and Agreement in File No. ER-2021-0240.

A. Staff simply states no carrying costs should be allowed on this outstanding balance because the Commission ordered as such in a recent Evergy West rate case relating to unrecovered investment in Evergy West's Sibley plant. In line with its stated position, Staff excluded the remaining unrecovered balance from rate base in its revenue requirement.

Q. Did Staff express an opinion on the inclusion of these Meramec costs in rate base in any prior case?

A. Yes. In File No. ER-2021-0240 Staff witness Lisa Ferguson said, "Staff is also not opposed to the proposal regarding carrying costs."[1] The Company's proposal to which Staff witness Ferguson referred in making that statement was "Any difference between the rate base component of the base amount included in this revenue requirement and

[1] File No. ER-2021-0240, Lisa Ferguson Rebuttal Testimony, page 4 line 23, page 5 line 1 (emphasis added).

related future actual costs should be deferred and *included in rate base* in the Company's future rate cases, until fully recovered or refunded" and "Carrying costs equal to the Company's weighted-average-cost-of-capital should be applied to deferrals *included in rate base*."[2]

Q. Are the pertinent facts for the Meramec plant the same as for Evergy West's Sibley plant?

A. Not at all. In File No. ER-2021-0240, the Company recognized that, despite the fact that the then-current depreciation rates were sufficient to recover the remaining plant balance during the time when the plant was still providing service, including the full remaining costs of the Meramec plant in base rates in that case would fully recover the remaining costs over the 10 months of remaining operations of the plant (between the expected effective date of new rates in that case and December 31, 2022, the retirement date), but customer rates would remain elevated as a result of these costs until new rates could take effect in a future case (i.e., as here, through June of this year). Rather than have rates stay in effect that were too high during that period and potentially track them for future return to customers, the Company proposed, and parties ultimately agreed, to simply spread the recovery of the remaining costs over a 5-year period instead of 10 months. As a result of this agreed-upon treatment, the costs at issue associated with Meramec are not an unrecovered balance of plant costs in the way one would normally think about that term – like something to potentially apply securitization to. They are rather costs of providing service during the plant's life, but which are deferred in order to spread the rate impact on customers over multiple years. These costs absolutely relate to costs of providing service during the plant's life.

[2] File No. ER-2021-0240, Lansford Direct, page 10, ll 4-15, March 31, 2021.

This deferral treatment was, however, a great outcome for customers, as base rates are approximately $50 million lower today than they otherwise would have been. Obviously, this outcome had a smoothing effect on customer rates as well. No part of this balance would remain unrecovered at this point in time if the Company had not voluntarily made this customer-focused proposal in File No. ER-2021-0240, a proposal that was ultimately approved by the Commission.

The facts surrounding Evergy West's Sibley plant are different in that the plant closed earlier than anticipated at a time when all investment and costs were included in the revenue requirement used to set customer rates. No element of the Sibley facts included a proactive, customer-focused proposal to lower rates as compared to more traditional recovery methods.

Q. Why is it good regulatory policy for Staff and the Commission to support the Company's and Ms. Ferguson's prior recommendation to include the remaining balance in rate base?

A. The primary reason is so that the Company and other electric utilities could repeat this customer-rate-reducing arrangement, without significant financial detriment, for at least some of the numerous coal-fired generating facilities that will retire over the coming decades. If the Commission were to agree with Staff in this case and determine, effectively, that no good deed should go unpunished, the approximately $4 million of financing costs (annually) that the Company is incurring on the remaining balance today would never be recovered.

Q. Are there other Meramec capital investments at issue in this case?

A. Yes. The Company has made unavoidable investments at the Meramec site to enable plant closure and in accordance with other environmental laws and regulations. Most notably, the Company was required to construct a wastewater basin so storm water would be controlled after the plant was retired and the Company continues to cap and close ash ponds at the site, as required by and in accordance with applicable federal law. These investments are currently in place and performing as expected. The investments are protecting customers from risks that arose from the operation of the Meramec plant, including but not limited to risk of non-compliance with applicable laws. As a result, these investments should also be included in rate base in this case.

III. ALLOWANCE FOR FUNDS USED DURING CONSTRUCTION

Q. Please summarize Office of Public Counsel ("OPC") witness Dave Murray's recommendation on Allowance for Funds Used During Construction ("AFUDC").

A. OPC witness Murray recommends the Commission order the Company to apply its short-term debt rate as AFUDC to all Construction Work in Progress ("CWIP") instead of following the rules as prescribed by the Federal Energy Regulatory Commission ("FERC") Uniform System of Accounts ("USoA"), which the Commission has adopted and with which the Company must comply under 20 CSR 4240-20.030.

Q. What are the rules for AFUDC, as prescribed by the USoA?

A. The USoA rules are as follows:[3]

[3] 18 CFR Part 101, Electric Plant Instructions 3(17).

(17) *Allowance for funds used during construction* (Major and Nonmajor Utilities) includes the net cost for the period of construction of borrowed funds used for construction purposes and a reasonable rate on other funds when so used, not to exceed, without prior approval of the Commission, allowances computed in accordance with the formula prescribed in paragraph (a) of this subparagraph. No allowance for funds used during construction charges shall be included in these accounts upon expenditures for construction projects which have been abandoned.

(a) The formula and elements for the computation of the allowance for funds used during construction shall be:

$$A_i = s(S/W) + d(D/D + P + C)(1 - S/W)$$

$$A_e = [1 - S/W][p(P/D+P+C)+c(C/D+P+C)]$$

A_i = Gross allowance for borrowed funds used during construction rate.
A_e = Allowance for other funds used during construction rate.
S = Average short-term debt.
s = Short-term debt interest rate.
D = Long-term debt.
d = Long-term debt interest rate.
P = Preferred stock.
p = Preferred stock cost rate.
C = Common equity.
c = Common equity cost rate.
W = Average balance in construction work in progress plus nuclear fuel in process of refinement, conversion, enrichment and fabrication, less asset retirement costs (See General Instruction 25) related to plant under construction.

Q. What proportion of CWIP accrues AFUDC at the Company's short-term debt rate?

A. As indicated above, the short-term debt interest rate ("s") is multiplied by the ratio of average short-term debt (S) and average adjusted CWIP (W). Practically speaking, the Company's short-term debt interest rate is applied to CWIP balances up to but not exceeding average short-term debt balances. During December 2022, 35.71% of the Company's CWIP balances accrued AFUDC at the Company's short-term debt rate.

Q. What companies are required to the follow the USoA rules for AFUDC?

A. Every regulated investor-owned electric utility is required to follow the USoA rules for AFUDC. Given this requirement, if the Commission were to order the Company to deviate from these rules it would require the Company to prepare and maintain a completely separate set of accounting records and financial statements. Not only would this come at a great cost to customers, but there is no principled basis for departing from the USoA's requirements. While the Commission has required the use of the short-term debt rate in circumstances when an affiliated loan was involved, to my knowledge, it has never required a departure from the requirements of the USoA simply because a party claims it should as a means to lower a utility's rate base and, in fact, recently confirmed that following the USoA is appropriate.[4]

Q. Please summarize the Company's response to OPC's recommendation on AFUDC.

A. The Company fully complies with the USoA rules for AFUDC. These rules are rational, have been consistently applied in this jurisdiction, and found to be appropriate by many other regulators. The Commission should reject Mr. Murray's recommendation and continue to rely on the USoA rules for AFUDC.

IV. CONTINUING PLANT INVENTORY RECORD

Q. Staff witness Cunigan expresses concerns over the Company's Continuing Plant Inventory Record ("CPR") and specifically as it relates to categories of mass property. How do you respond?

A. It is a recurring theme that several Staff witnesses misunderstand the nature of how mass property assets are reflected within the CPR. The Company fully complies with the requirements of the USoA with respect to its CPR, including for categories of

[4] *Cf.* Amended Report and Order, File No. ER-2019-0374 (July 23, 2020) (Where Empire included as long-term debt a loan it had taken out from its affiliate). The affiliate's cost of those funds was just 2.53% but by loaning it to Empire and then Empire including it in Empire's long-term debt, effectively Empire rates would reflect a cost of debt higher than the source of the funds, to the detriment of customers. To that extent, i.e., as for this loan only, the Commission required use of a short-term debt to determine AFUDC. However, the Commission specifically rejected what OPC proposes here, stating that the "overall formula and method for calculating AFUDC will still be as directed by the USOA."

mass property. Mass property assets simply have less detailed requirements under the USoA than retirement unit ("location") property.

Q. What are the requirements for location property under the USoA?

A. The recordkeeping requirements for location property are as follows: [5]

> A. For each retirement unit:
>
> (1) The name or description of the unit, or both;
>
> (2) The location of the unit;
>
> (3) The date the unit was placed in service;
>
> (4) The cost of the unit as set forth in Plant Instructions 2 and 3 of this part; and
>
> (5) The plant control account to which the cost of the unit is charged; and

Q. What are the requirements for categories of mass property under the USoA?

A. The recordkeeping requirements for mass property are as follows: [6]

> B. For each category of mass property:
>
> (1) A general description of the property and quantity;
>
> (2) The quantity placed in service by vintage year;
>
> (3) The average cost as set forth in Plant Instructions 2 and 3 of this part; and
>
> (4) The plant control account to which the costs are charged.

[5] 18 CFR Part 101, Section 8: Continuing Plant Inventory Record, part A.
[6] 18 CFR Part 101, Section 8: Continuing Plant Inventory Record, part B.

Q. How are the requirements for location property different from those for categories of mass property?

A. The key difference is there is no requirement relating to *location* for mass property assets and obviously then there is no requirement to be able to select a single mass property asset from the CPR and be able to identify that asset in the field. This requirement exists for location property but is simply not practical for the vast majority of the Company's distribution assets, an example of which is the Company's approximately 900,000 utility poles. It is precisely for this reason that the USoA provides for different accounting treatment for mass property.

Q. Please respond to Mr. Cunigan's specific concerns related to the Company's CPR.

A. Mr. Cunigan's complaint can be summarized as, upon retirement of an asset accounted for as a category of mass property, the Company must remove from its CPR the exact record that relates to that specific asset, i.e., witness Cunigan is criticizing the Company's CPR because it doesn't treat mass property like location property when, in fact, it isn't required to do so. As I outlined above, there is no parameter to determine the location of a mass property asset so this is clearly not possible or required, and if it were, there would be no reason for the USoA to provide different rules for mass property and location property.

Mr. Cunigan may further argue that upon retirement, a record from the CPR must be removed that has the exact same vintage as the asset removed from the system. This is similarly illogical and undermines the obvious purpose of the rules for mass property assets. Practically speaking, if an accountant were to agree with Mr. Cunigan, a recordkeeping system would be necessary where each of the Company's approximately 900,000 poles (for example) would have to be identified by location, vintage year, and perhaps other parameters. Then a service worker would have to consult that recordkeeping system when a pole is removed and definitively know the exact vintage year of the pole removed from that location and update the CPR accordingly. Imagine the time, expense, and complexity of needing to take these steps for the Company's 900,000 poles and millions of units of other mass property assets, such as overhead conductors (by linear foot) and devices, underground conductors, conduit, towers, fixtures, line transformers, etc. It is obvious that the impracticality of such a recordkeeping system is the exact reason that different mass property rules exist. As is common in the accounting profession, reasonable judgments are required in the application of these rules and the Company utilizes expert statistical analysis to ensure that retirements of mass property assets are reasonable and accurate, including the distribution of vintage year data. This statistical analysis is deployed through the Company's PowerPlan asset accounting system in a systematic and rational way. Company witness John Spanos, who has deep familiarity with utility practices relating to mass property accounting and CPRs, discusses how the Company's accounting in this area is consistent with the accounting in this area across the industry. The Commission should reject in full Mr. Cunigan's recommendation.

V. MERAMEC INSURANCE EXPENSE

Q. Staff proposed an adjustment to remove O&M expenses associated with the Meramec Energy Center insurance costs. Does the Company agree with this adjustment?

A. Yes.

VI. NON-LABOR POWER PLANT MAINTENANCE

Q. Has Staff proposed an adjustment for non-labor power plant maintenance costs?

A. Yes. Staff has proposed to normalize non-labor power plant maintenance costs using a six-year average of costs at the Labadie and Sioux Energy Centers, a three-year average at the Rush Island Energy Center, and remove all costs at the Meramec Energy Center.

Q. Does the Company agree with Staff's proposed adjustment?

A. In part. The Company has the same method for and agrees with Staff on cost levels for the Labadie and Sioux Energy Centers. The Company does not endorse Staff's method for the Rush Island Energy Center because historical cost levels over the prior three years do not have a clear relationship to the expense levels needed while it will operate as a System Support Resource. However, the result of Staff's proposal is roughly in line with the Company's output, so we do not oppose Staff's result. The Company fully disagrees with Staff's proposal for removal of all non-labor costs related to the Meramec Energy Center. Staff's only argument for removal of these costs is because the facility was retired in December of 2022. While Meramec was retired from operation in December of 2022, there are on-going activities required at the site that result in the incurrence of ongoing non-labor costs. Most notably, the physical security of the site must continue for the foreseeable future. The physical security costs at the site were $395,040 during 2022. These costs existed when the plant was serving its customers for decades and are of course necessary post-closure until the plant can be fully decommissioned. Consequently, $395,040 should be included in the revenue requirement.

VII. NON-QUALIFIED PENSION EXPENSE

Q. **Please describe Staff's adjustment for non-qualified pension expense in this rate review and the past three Ameren Missouri rate reviews?**

A. In this case, Staff is proposing to utilize a three-year average of both annuity and lump sum payments as the level of costs to include in the Company's revenue requirement. In File No. ER-2021-0240, Staff proposed to use calendar year 2020 levels for annuity payments and a five-year average of lump sum payments. In File No. ER-2019-0335, Staff proposed a three-year average of annuity payments and a two-year average of lump sum payments. In File No. ER-2016-0179, Staff proposed calendar year 2015 levels for annuity payments and calendar year 2015 levels divided by a conversion factor of 15 for lump sum payments. Staff has proposed a different method for this cost in each of the past three Ameren Missouri rate reviews.

Q. **Why can it be difficult to determine the appropriate cost level?**

A. The annuity and lump sum payments under the plan are dependent on the retirement dates of participating employees. Also, it is the participating employee's decision as to whether he or she receives annuity payments (5-year, 10-year, 15-year, or lifetime options) or a single lump sum payment. The lump sum payment option was added within the past 10 years and, increasingly, participants have elected this option. In other words, the cost levels of the plan are dependent on factors outside of the control of the Company.

Q. Please describe the Company's method and why it is the appropriate method to use to set rates in this case.

A. The Company uses Willis Towers Watson to value the net benefits and determine the amount to accrue monthly to meet the obligations of the pension plan. Willis Towers Watson are subject matter area experts and actuaries that review the plan experience to determine the appropriate level of expense. They apply the same consistent actuarial methods year after year to determine the appropriate level of non-qualified pension costs and utilize those same methods to determine *qualified* pension costs. Staff has no issue with the use of this method for the *qualified* pension costs. Qualified and non-qualified costs are but two components of a *single pension plan*. The benefits at question under the *non-qualified* portion of the plan are the exact same benefits as those of the *qualified* portion of the plan. The only reason a non-qualified portion of the plan exists is to provide the benefits of the single pension plan to employees whose compensation exceeds an Internal Revenue Service ("IRS") limit for tax advantages relating to those costs that qualify. Considering the entirety of the plan, cash payouts from the plan will equal the expense levels per the Company's proposal. In the interim, any disparity between the date the expense is incurred and the date the payment is made is compensated for in the Company's cash working capital study and results in a reduction to rate base in this case. In contrast, Staff's approach offers no relationship between recovery of costs through customer rates and future payouts of the plan because; 1) Staff's method changes every case, and 2) prior payouts over arbitrary time periods have no bearing on future payouts of the plan (particularly for lump-sum payouts). Because of the complexity and volatility of non-qualified pension costs, it is most appropriate to use the Company's consistently-applied, actuarial method to determine the appropriate level of non-qualified and qualified costs to include in its revenue requirement.

Q. What differences exist between qualified pension costs and non-qualified pension costs?

A. The Company's qualified pension costs have associated funding requirements under the Employment Retirement Income Security Act. Qualified pension costs, as determined by the Company's actuaries, are used to determine whether and to what extent contributions are required while also factoring in existing assets and asset performance. No such funding requirement exists for non-qualified pension costs.

Q. Do these differences impact how qualified and non-qualified benefit costs are determined?

A. No. The starting point in the Company's actuarial analysis is to determine the cost of the benefits being provided, whether that cost is qualified or non-qualified. Again, there is no difference in the benefits provided whether the cost is qualified or non-qualified.

Q. If the Commission were to reject the Company's method, would you offer an alternative?

A. The best alternative to the Company's method is not Staff's method of haphazardly selecting payment periods and simple averages each case going forward. If the Commission were to reject the Company's method, the best alternative is to include these costs in the existing pension tracker. Both qualified and non-qualified costs are volatile, uncertain, and are the costs of the exact same benefits. The difference in funding requirements between qualified and non-qualified costs is not a meaningful reason to necessitate the exclusion of non-qualified costs from the pension tracker given non-qualified service costs represent less than 2.5% of combined service costs under the single pension plan and the funding disparity between these costs is compensated for in the Company's cash working capital study.

VIII. VEGETATION MANAGEMENT AND INFRASTRUCTURE INSPECTION COSTS

Q. **Staff proposes to adjust these costs to levels present in the 12-month period ended June 30, 2022. Does the Company agree with this adjustment?**

A. Yes, with the expectation this item will be trued up to reflect the remainder of 2022 expenses. Through continued efforts to find ways to reduce costs in this area, additional cost reductions did occur during the twelve months ended December 31, 2022. The Company agrees that Staff's position to true-up these costs is appropriate for use in setting the revenue requirement in this case in order to provide the benefits of the cost reductions that have been achieved for customers.

IX. COMMUNICATIONS EXPENSES

Q. Staff proposed an adjustment to remove communications expenses associated with institutional and promotional advertising. How does the Company respond?

A. Although the Company disagrees with Staff's analysis and methodology, it accepts Staff's resulting adjustment for purposes of this case. Staff's workpapers detailed an adjustment of $502,319, while the accumulated adjustments in its filed accounting schedules totaled $504,131. The Company believes the amount entered into Staff's accounting schedules to be an error and presumes Staff will correct this amount in its true-up direct testimony.

Q. OPC proposed an adjustment to exclude communications and sponsorship costs relating to the Company's St. Louis Blues Power Play Goals for Kids campaign from its revenue requirement. How does the Company respond?

A. Staff's proposed adjustment contains these same costs, and the Company accepts Staff's adjustment. It is inappropriate to apply both Staff's and OPC's adjustments as a result because it would remove the same costs twice.

X. LEASE EXPENSE

Q. Staff proposed an adjustment to remove O&M expenses related to an expiring lease. Does the Company agree with this adjustment?

A. No. Although Staff states it would consider additional lease costs during the true-up period, the Company had not provided that data for Staff's consideration in its direct filing. This data was provided by the Company as part of true-up data. This data indicates test year lease costs (excluding lease costs tracked under the RESRAM) were $270,573. These same costs were $284,869 during 2022. The Company's lease costs (excluding lease costs tracked under the RESRAM) have increased since the test year and, therefore, Staff's proposed adjustment to reduce lease costs should be rejected.

XI. CALL CENTER COSTS

Q. Staff proposed an adjustment to O&M expenses related to the Company's call center costs. Does the Company agree with this adjustment?

A. The Company understands Staff intends to true these costs up through December 31, 2022, and, if that is the case, then the Company agrees with this adjustment.

XII. NUCLEAR WASTE DISPOSAL

Q. Staff proposed an adjustment to O&M expenses by utilizing a three-year average of nuclear waste-disposal costs related to the Company's Callaway power plant. Does the company agree with this adjustment?

A. Yes.

XIII. ELECTRIC VEHICLE EMPLOYEE INCENTIVE

Q. Staff has proposed to disallow electric vehicle incentives paid to Company employees. Does the Company agree with this adjustment?

A. No. The payment of a small ($1,500 to $2,500) incentive to Company employees to adopt electric vehicle technology is beneficial to customers. Adoption of electric vehicle technology increases electric revenue volumes, allowing customer rates to decline (holding all other factors constant). Additionally, this incentive improves employee engagement, attraction, retention, and helps employees set a good example for Company customers. Staff's proposed disallowance has not been supported and fails to consider the above factors. Therefore, Staff's disallowance should be rejected.

XIV. SHORT TERM INCENTIVE COMPENSATION

Q. Staff proposed an adjustment to O&M expenses related to the Company's short term incentive compensation to account for lobbying. Does the Company agree with this adjustment?

A. Staff updated its position in supplemental direct testimony on certain revenue requirement issues, including its position on short-term incentive compensation. The Company agrees with Staff's adjustment as quantified in its supplemental direct testimony.

XV. RATE CASE EXPENSE

Q. **What is Staff recommending with regard to rate case expense to be included in the revenue requirement in this case?**

A. Staff developed a normalized level of rate case expense by averaging the rate case expense for the Company's last three rate cases. That resulted in a normal level of rate case expense of $829,060 for each rate case. In contrast, the Company developed a normalized level of rate case expense by averaging the expense levels from its last five rate cases, resulting in an amount of $1,332,949. Both Staff and the Company further normalized these averages over two years—in other words, both parties presumed that the Company would file rate cases every two years and so 50% of the normal level of rate case expense should be included in the annual revenue requirement. Staff then further diverged from the Company's approach in that it is recommending sharing of rate case expense 50/50 between customers and shareholders, so Staff is recommending that half the costs of a rate case are disallowed from the Company's revenue requirement.

Q. Is a three-case average of rate case expenses appropriate in this case?

A. No, it is not. The previous four cases have been settled before evidentiary hearings. There is additional expense involved in evidentiary hearings such as costs relating to the participation of external expert witnesses and outside legal counsel. Although costs relating to evidentiary hearings do not always occur, they often do, and any normalization should reflect both settled and non-settled cases.

Q. Is Staff's disallowance of 50% of rate case expenses appropriate in this case?

A. No, it is not. Staff provided no justification for this position. In File No. ER-2021-0240, Staff did note that case-specific facts should be considered and that a 50/50 sharing recommendation is not a matter of general policy.[7] Yet, no case-specific facts or analyses were provided in Staff's direct filing, nor was any other justification. I am advised by legal counsel that absent testimony that creates a serious doubt as to the prudence of an expenditure, it is not appropriate to disallow costs. Staff's direct case contains no such explanation, meaning this adjustment should not be adopted by the Commission.

XVI. RENEWABLE ENERGY STANDARD TRACKER

Q. Please summarize the differences between Staff and the Company's position as it relates to the Renewable Energy Standard ("RES") tracker base amount.

A. To establish the test year expense amount, Staff presumed the RES tracker base amounts established in prior cases were applied on a straight-line basis resulting in expense levels of equal increments each month for the period each base amount was effective. The Company has simply queried its general ledger to output the expense levels that were recorded during the period. Staff produces a different amount because it uses a straight-line amortization approach, whereas the Company amortizes to match its load shape. In either case, the same annual amounts are used, but there are differences in how those amounts are spread across individual months. If one were to analyze an annual period where the ordered RES tracker base amount was in effect for the full period, either method

[7] File No. ER-2021-0240, Mark L Oligschlaeger Rebuttal Testimony, p 1 l 21-23 and p 2 lines 1-2.

would produce the same annual expense levels. It is only in this case, where the test year contains tracking under agreed upon terms from File No. ER-2019-0335 for April 2021 through February 2022 and tracking under the terms of File No. ER-2021-0240 for March 2022, that causes the Company's and Staff's methods to produce a difference. Also, Staff has calculated the Maryland Heights Landfill Gas Energy Center fuel cost, using the most recent contractual gas price ($2.9405/MMBtu effective June 15, 2022, through June 14, 2023) multiplied by the actual gas volumes purchased by the Company in the true-up period. The Company, alternatively, has calculated the Maryland Heights Landfill Gas Energy Center fuel costs using the actual costs recorded in its general ledger in the true-up period.

Q. Does the Company agree with Staff's calculation of test year expense relating to this mechanism?

A. No. There is no need for any calculation to determine the value of the related transactions recorded in the test year. That amount is known and easily identifiable in the Company's accounting records, exactly as the Company has provided Staff. The Company's methods I described previously and the difference with Staff's presumption does not have meaningful implications in any other way. That being said, the reasons the Company's load-shaped method is superior to a straight-line method include that the load-shaped method best matches with the expense recognition pattern of the underlying costs (primarily renewable energy credit costs) and the revenue recognition pattern where revenues are increased in months of higher usage by customers.

Q. Does the Company dispute Staff's position as it relates to the Maryland Heights Landfill Gas Energy Center fuel costs?

A. No.

XVII. LEGAL EXPENSES

Q. Staff recommends removal of costs related to the Rush Island New Source Review ("NSR") litigation from the cost of service because they are non-recurring. Does the Company agree?

A. No. First, the existence of litigation costs incurred by the Company is a recurring matter. The Company has and will continue to have litigation costs now and in the future. As one specific case like the Rush Island NSR case concludes there will be another future case to take its place. That said, the Rush Island NSR case is not over. The Company incurred costs related to this case in every month of the test year and continued to incur those costs through the true-up date. The Company expects this will continue at least until a plant closure date is approved by the judge, which will likely not occur until well into 2024 or even 2025. Since litigation is always ongoing, and since the Rush Island costs will be recurring for the foreseeable future, the Commission should reject Staff's adjustment.

Q. Staff recommends removal of costs related to the FERC Return on Equity ("ROE") litigation from the cost of service claiming those costs purely benefit shareholders. Does the Company agree?

A. Not at all. Staff's only argument for disallowance was that the level of ROE associated with Ameren Missouri's FERC jurisdictional transmission assets only benefits shareholders. This is not true. The difference between Ameren Missouri's retail ROE and

ROEs used to set FERC-regulated transmission rates is reflected in retail revenue requirements as a reduction or increase in revenue requirement. Over the last several years, retail customers *have benefited* from the higher ROE paid by transmission customers because revenues associated with those higher ROEs have resulted in a direct offset to the retail revenue requirement. Since transmission ROE directly impacts retail customer rates and has provided offsets that lower what the revenue requirement would otherwise have been, the cost to litigate the FERC ROE complaint cases should be included in the Company's revenue requirement. These expenses were prudently incurred and benefit ratepayers. There is no basis to disallow them.

XVIII. <u>OTHER AMORTIZATION AMOUNTS</u>

Q. Staff does not intend to recognize amortization that will occur from the true-up date to the operation of law date[8] in this case when calculating amortization positions for pension, other post-employment benefits ("OPEB"), accumulations under the RES tracker, amortization relating to the Mark Twain Project, and extended amortizations. How does the Company Respond?

A. Past practice of both the Staff and the Company has been to project amortization amounts and the related refunds or recovery through the operation of law date in a case. Although the implementation date of new customer rates has differed from the operation of law date in some past cases, all parties were able to compensate for those facts when they arose to ensure that over time the exact amount of proper recoveries and refunds occurred. If Staff's new method is applied correctly and consistently over time, the same outcome of appropriate refund or recovery is achievable. As long as the Company

[8] Young Direct, File No. ER-2022-0337, page 6 lines 10-16.

continues to track over-amortizations in a manner consistent with past practice and as recommended by Staff and the Company in this case, the Company does not object to Staff's method for purposes of this rate review.

XIX. PROPERTY TAXES

Q. Please summarize Staff's position as it relates to new property tax legislation?

A. The legislation institutes a property tax tracker effective August 28, 2022. Staff's position appears to be that the Company cannot begin tracking costs under this new mechanism on the date the law became effective, but instead must wait until new rates become effective in this case.

Q. Do you agree with Staff's position?

A. No. The tracking requirement became law last August and requires that the tracking start then. If the legislature intended for tracking to start after the conclusion of the first rate review immediately following the bill being signed into law, that's exactly what the law would say.

Q. Why is Staff taking this position?

A. It's Staff's belief that it is unknown or unclear what the tracker base amount is until the Commission orders a specified amount. Since the Company's black box settlement in File No. ER-2021-0240 contained no specific property tax amount, Staff appears to claim the tracker cannot be applied.

Q. Is it true that property tax expense levels used to set rates in the Company's last case are unknown?

A. No. Analysis of the stipulation and agreement and record evidence from File No. ER-2021-0240 allows one to determine the property tax expense underlying the rates set in that case. Only Staff and the Company put forth positions on property taxes in that case and the only difference in these positions was whether or not property taxes relating to the Company's Meramec plant would be reduced to recover those costs over five years as part of a broader proposal related to certain remaining costs of the plant. Ultimately, parties agreed to an OPC proposal relating to Meramec and that proposal contained no adjustment for Meramec property taxes. As a result, the record is clear that Staff's adjustment, which if it had been adopted would have spread out recovery of property taxes relating to Meramec over a five-year period, was not adopted. As a result, the Company's recommended property tax amount (consistent with OPC's Meramec position) was used in the revenue requirement used to set rates in that case. The Commission approved the stipulation and agreement memorializing OPC's proposal and the parties' agreement. The resulting property tax expense on which the revenue requirement used to set rates in the Company's most recently completed rate case is $157,052,863.[9] It is undisputed that $12,944 of that figure is tracked within the Company's RESRAM and, therefore, should be excluded from total property tax expense to arrive at an applicable property tax base amount of $157,039,919. This is the base against which the legislatively mandated tracker should be applied.

[9] File No. ER-2021-0240, Mitchell Lansford Surrebuttal, Schedule MJL-S13-1 l 16, March 31, 2021.

Q. Are there other related considerations about which the Commission should be aware?

A. Yes. Identifying the tracker base amount as I have proposed is more conservative (i.e., will result in less property tax expense reflected in customer rates) than if Staff's position from the prior case were determined to be the base amount. If Staff were to argue its position from the prior case should be used as the base amount, the Company would accept that outcome. In other words, the Company would accept either of the two positions set forth in the prior case as the base amount. Finally, it is quite normal in Accounting Authority Order ("AAO") proceedings to identify amounts for various cost of service items that are assumed to underlie current rates. There is no good reason to impede the use of the tracker required by the new statute over an issue that is overcome in virtually every AAO proceeding and is easily resolvable, as described above.

Q. When did the Company begin tracking costs under this mechanism?

A. It was not practical for the Company to begin tracking on August 28 of last year, given the Company's calendar month accounting processes. Therefore, the Company began tracking under this mechanism a few days later on September 1, 2022. The effects of deferrals from September 1, 2022, to December 31, 2022, will be included in the Company's true-up revenue requirement.

XX. INFLATION REDUCTION ACT

Q. Please summarize Staff's tracker recommendation for the Inflation Reduction Act ("IRA").

A. Staff recommends that the Commission approve a tracker for any wind, solar, or nuclear Production Tax Credits ("PTCs") and any consideration received from the sale of those tax benefits if not otherwise used to offset the Company's tax liabilities.[10] While Staff has recommended tracking of the vast majority of the benefits expected from the IRA, it has misunderstood or selectively ignored that the IRA also imposes incremental costs. Staff recommends excluding Investment Tax Credits ("ITCs") from its tracker proposal based on its understanding of IRS normalization rules.

Q. What is Staff's basis for excluding costs arising from the Corporate Minimum Tax ("CMT") implemented by the IRA from its tracker proposal?

A. Staff's position is that any CMT payment creates a deferred tax asset ("DTA"), and since that future economic benefit can be used to reduce future tax liabilities, Staff claims that no cost exists.

Q. How does the Company's perspective differ?

A. Although it is true that a DTA will be recognized relating to CMT payments and that DTA can be used to offset future tax liabilities, it is not true that there is no cost associated with making advanced tax payments under the CMT "today" given that it is likely that the DTA cannot be used to reduce future tax liabilities for many years into the future. Although subject to considerable volatility based on many complex factors, the Company currently estimates it will not be able to use CMT-generated DTAs to offset future tax liabilities until sometime after 2032.[11] Like other long-term sources and uses of cash, including capital investments, prepayments, and Deferred Tax Liabilities ("DTLs"), DTAs arising from advanced payments made as required by the CMT should be included in the Company's rate base.

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[10] Except for any transactions that would otherwise be included in the Company's Renewable Energy Standard Rate Adjustment Mechanism.

[11] No analysis beyond 2032 has been performed and, therefore, it may very well be many years beyond 2032 before the Company is able to utilize CMT DTAs to reduce future tax liabilities.

Q. How are DTLs typically treated for ratemaking purposes?

A. DTLs generally arise when tax deductions are greater than the related costs recorded in the Company's income statement and amortized over time as the financial statement book value and tax basis converge. For example, tax deductions for depreciation are generally accelerated as compared to financial statement depreciation expense and this results in a DTL, which represents a tax liability that accrued "today" but is not required to be paid to the IRS until a future period. DTLs, like those arising from accelerated depreciation, reduce the Company's rate base when it collects amounts from customers related to those costs in advance of the related future tax payment. The lower rate base obviously benefits customers by lowering their rates.

Q. How do you respond to Staff's assertion that DTAs reverse over time, providing a future benefit to the Company, and, therefore, there is no cost?

A. Since DTLs – which are the opposite of DTAs (just as a regulatory liability is the opposite of a regulatory asset) –are a reduction to rate base that lowers rates[12], the Commission must symmetrically include the DTAs as an increase to rate base[13]. Put another way, if one were to apply Staff's position on CMT DTAs to the Company's DTLs, that same logic indicates there is no benefit to provide customers from DTLs because they eventually reverse, and the Company eventually makes tax payments equal to those liabilities. If that were the only fact to consider, then those DTLs should not be a reduction to rate base. Whether or not there is a future cost or benefit to the Company does not determine whether or not a DTA or DTL should be included in the Company's rate base.

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[12] When the tax deduction is not otherwise included in the revenue requirement, as is the case for most of the Company's DTLs.

[13] When incremental tax payments are not otherwise included in the revenue requirement.

Instead, it is whether or not tax payments are reflective of the tax expense included in the Company's revenue requirement that determine whether DTAs or DTLs should be included in the Company's rate base. Unless incremental CMT payments are added to tax expense in the Company's revenue requirement, DTAs arising from the CMT should be included in rate base return just like DTLs arising from accelerated depreciation reflect a reduction in rate base.

Q. Please provide an illustrative example of the appropriate income tax impacts on a utility's revenue requirement, detailing specifically income tax expense, DTLs, and DTAs arising from the CMT.

A. Schedule MJL-R1 provides an example. In this simplified example, the utility has income tax expense of $100, is required to make payments to the IRS of $20 in the current year before considering the CMT, owes an additional $10 to the IRS under the CMT, has recorded DTLs of $80 (income tax expense of $100 less payments of $20 equals $80), has recorded CMT DTAs of $10, and has a return on rate base of 10%. In preparing a revenue requirement, the utility first includes $100 of tax expense. If the utility were to stop there and recover this $100 from its customers, the utility would effectively be receiving an interest free loan from customers until it is required in the future to make the related payments to the IRS. So, the utility provides "credit" to its customers for being able to collect this $100 while only being required to remit $20 in current income tax payments by reducing its revenue requirement by $8 (DTLs of $80 multiplied by 10% return on rate base equals $8); i.e., the DTL is included in rate base as a reduction to rate base. At this point and before considering the CMT, the utility's revenue requirement is $92. It will have collected $100 from its customers, paid the IRS $20, and is providing a "credit" to its customers for an $80 "loan" in the form of $8 of "interest" per year until the DTLs become due to the IRS (the DTLs will later reverse out of the accounting records and are removed from rate base when the obligation to the IRS is satisfied). The final step in this example is to apply the CMT payment to the revenue requirement and it is as simple as increasing the current amount paid to the IRS from $20 to $30 and reducing the "loan" from customers from $80 to $70 ("interest" reduces from $8 to $7). The result is a revenue requirement that totals $93 ($100 of tax expense less $7 of "interest" on the $70 "loan" from customers) and the $1 increase reflects the true cost to the Company and customers of making advanced tax payments under the CMT (the CMT DTAs will later reverse out of the accounting records and are removed from rate base when used to reduce future tax obligations).

Q. Is it appropriate to treat CMT payments as "flow-through"[14] items for ratemaking purposes?

A. Although this method could be applied appropriately, it absolutely should not be. Practically speaking, the magnitude of CMT payments utilities are likely to be required to pay over the next 10 years would result in massive increases to customer rates over that same period, only to result in reductions to customer rates in some unknown future period. Beyond the compelling impact on customers, the primary reason for a Company to be required to make CMT payments is having such substantial temporary tax deductions that a Company's tax payments (before consideration of the CMT) dip below payment levels required by the CMT. The Company expects it will be required to make tax payments resulting from the application of the CMT because it will have those substantial temporary tax deductions and the largest of the deductions are those resulting from

[14] Young Direct, File No. ER-2022-0337, page 21 lines 24-28.

accelerated tax depreciation. Treating depreciation deductions as "flow-through" would constitute a normalization violation, to the significant detriment of customers. All this said, expected CMT payments are inextricably linked to the Company's depreciation deductions and the ratemaking methods applied should, therefore, be the same.

Q. Staff recommends DTAs arising from tax credit carryforwards are excluded from a tracker and should not be included in rate base. How does the Company respond?

A. PTCs offset tax expense when generated even though those PTCs may not be utilized to offset current tax liabilities. Part of Staff's recommendation is to adjust PTC amounts that offset tax expense to exclude the value of credits that must be carried forward to offset tax liabilities in future periods. Generally, this results in an appropriate regulatory outcome since the benefits provided to the Customers are in line with the benefits the Company receives from the IRS. However, in this instance, Staff's proposal misses the view of the forest because of the focus on a single tree. As I explained previously, depreciation DTLs and CMT DTAs are inextricably linked to one another, and PTCs are no different. The PTCs only exist because of the presence of the underlying generating facility. The same generating facility gives rise to depreciation DTLs and contributes to CMT DTAs. Carrying forward concepts from my prior simplified example on DTLs and CMT DTAs, the inclusion of unutilized (carried forward) PTCs in the revenue requirement is simply a reduction to the amount "loaned" to the Company by its customers (DTLs) and the inclusion of a credit carryforward DTA in rate base reflects the related and reduced "interest" accruing to customers. The same regulatory methods should be applied to each of these interrelated deferred tax balances and, as a result, PTC credit carryforward DTAs should be included in rate base and treated as described in the Company's IRA tracking proposal.

Q. Are there examples of IRA benefits customers would not receive under Staff's proposals?

A. Yes. As I mentioned previously, Staff is recommending that ITCs are excluded from any tracker. If the Company were to construct a renewable energy center and elect the ITC, no benefits relating to that ITC would be provided to customers unless or until the Company filed a rate review and even the normalized ITC value could result in customers failing to receive millions of dollars of benefits. The IRA contains a provision where the Company can "opt out" of normalization requirements relating to an ITC for storage assets. Staff's proposal would entirely miss the mark in ensuring the benefits of the IRA are fairly provided to customers. Finally, Staff's proposal appears silent on any tracking of proceeds from the transfer (i.e., sale) of ITCs. While we await further guidance from the IRS on whether normalization requirements apply to the proceeds of a transferred ITC, if normalization requirements were not to apply, none of the benefits relating to an ITC transfer would be provided to customers if the transfer did not occur during the test year in a general rate review.

Q. Please summarize the Company's response to Staff's positions on the IRA.

A. The only fair and reasonable outcome relating to the IRA is a tracker that is principled on ensuring that all the benefits, and all the costs, directly resulting from the IRA are provided to and/or recovered from customers. The Company's proposal reflected in my supplemental direct testimony will accomplish this outcome, including respecting the interplay between ratemaking practices for DTLs, CMT DTAs, and any tax credits that must be carried forward and capturing all the significant benefits that could arise from the IRA.

XXI. INCOME TAXES

Q. Please explain Staff's recommendations relating to miscellaneous federal, state, and local income tax credits.

A. Staff recommends that the most recent historical amounts earned by the Company relating to the research credit, empowerment zone credit, alternative fuel tax credit, qualified plug-in electric vehicle credit, and St. Louis City earnings tax credit should be applied as an offset to federal income tax expense within its revenue requirement[15]. Staff further recommends that if these same tax credits cannot be utilized to reduce tax liabilities in a current period, and therefore must be carried forward as a DTA, that those credit carryforward DTAs should be excluded from rate base.

Q. How does the Company respond?

A. Staff provides testimony in this same case stating the following:

"When the utility's rates and tax returns both reflect a cash basis, the inclusion of a … timing difference in income tax expense is not applicable to ratemaking[16]" and "As PTC (other tax credits) benefits are accrued to Ameren Missouri's income statement, Staff recommends comparing the accrued expense to the actual tax credit claimed on the tax return after it is filed and including the difference in the tracker. This second comparison will ensure that actual tax benefits are reflected in the tracked amount."[17]

[15] Staff also applies the St. Louis City earnings tax credit as an offset to State of Missouri income tax liabilities.
[16] Matthew Young Direct, File No. ER-2022-0337, p 20, ll 9-11, January 10, 2023.
[17] Matthew Young Direct, File No. ER-2022-0337, p 28, ll 10-15, January 10, 2023.

In both instances, Staff obviously explains it is appropriate to have symmetry between amounts included in the Company's revenue requirement and the costs or benefits that are required or claimed on the Company's tax returns. The Company agrees with this concept, but Staff has clearly violated it in this instance. With respect to tax credits, if the Company cannot utilize certain tax credits to offset current tax liabilities (on its tax return) then the Company has received no benefit. If the Company has received no benefit, then no benefit should be provided to customers (reflected in the Company's revenue requirement), unless a related credit carryforward DTA is included in rate base. The Company must be compensated for providing a benefit to customers well before that benefit is obtained by the Company to reduce income tax liabilities. The Company could not utilize the research credit, empowerment zone credit, alternative fuel tax credit, or qualified plug-in electric vehicle credit to reduce tax liabilities on its 2021 tax return and instead these credits were carried forward, resulting in the recognition of a DTA. These credits should either be removed from the Company's revenue requirement or the associated DTAs must be included in rate base. Staff further reflects the St. Louis City earnings tax credit as applicable to federal, state, and local income taxes. This is simply not true. The St. Louis City earnings tax is only applicable to local (St. Louis City) income taxes.

Q. Staff excluded DTA balances from rate base related to inventory reserves and contingent liabilities. Does the Company agree with Staff's adjustments?

A. No. Staff's adjustments are based on a presumption that the related underlying costs are not included in the Company's revenue requirement and that is not accurate. The related underlying costs *are* included in the Company's revenue requirement and, therefore, these DTAs should also be included in rate base. Staff further explains it may reverse its recommendation upon reviewing the Company's response to Staff Data Request No. 168.2. The Company's response has been provided and is consistent with this testimony. As a result, the Company expects Staff will reverse its position in future testimony.

XXII. EQUITY ISSUANCE COSTS

Q. Please describe Staff's recommendation related to the amortization of equity issuance costs.

A. Staff recommends the continued amortization of these costs at $255,447 per year, as set out in File No. ER-2021-0240. The resulting implied recovery period relating to these costs is approximately 30 years. Staff further recommends that the unrecovered balance be excluded from rate base.

Q. Does the Company agree with Staff's recommendation?

A. No. A recovery period of approximately 30 years is entirely too long if the Company receives no compensation for its financing costs, as has been recommended by Staff. This disagreement truly stems from File No. ER-2021-0240, where the Company proposed recovery of this cost over the approximate thirty-year term in question, but with the remaining unrecovered costs included in the Company's rate base. Staff's position was for the Company to recover these costs over five years, but no costs were recommended to be included in the Company's rate base. The Stipulation and Agreement reflected the Company's proposed amortization amount, but it was unspecified as to whether the remaining unrecovered costs were included in the Company's rate base or not. In filing this case, the Company fully conceded to Staff's recommendation from File No. ER-2021-0240 by excluding unrecovered costs from rate base and amortizing costs over 5 years. I believe Staff missed this context when making its recommendation in this case. The Commission should either accept the Company's recommendation in this case, which again is the same recommendation from Staff in File No. ER-2021-0240, or accept Staff's recommended amortization amount from this case while including $6,790,634 of unrecovered costs in the Company's rate base in this case.

XXIII. OTHER ITEMS

Q. The Company and Staff have the same methods for certain adjustments, but the adjustment amounts differ because the Company's adjustments are based on projections, while Staff relies on actual results through June 30, 2022. How does the Company respond to these differences?

A. The Company intends to true up adjustments utilizing actual results through December 31, 2022, and believes it is Staff's position to do the same. As a result, the Company and Staff should have no differences in these areas upon filing true-up direct testimony. If Staff does in fact true up the following adjustments, no differences are expected to remain relating to the following adjustments: (1) Employee benefits expense (Amenthor); (2) Insurance expense (Nieto); (3) Depreciation of power operated and transportation equipment (Young); (4) Non-labor cybersecurity expense (Nieto); (5) Software rental revenue and expense (Nieto); (6) Customer deposit interest expense (Majors); (7) AMR read fee expense (Majors); (8) Bad debt expense (Majors); (9) Customer convenience fees (Nieto); (10) NRC fees (Young); (11) Non-labor software maintenance expense (Nieto); (12) PSC assessment expense (Majors); (13) RES tracker amortization (Lyons); (14) RESRAM revenues and expenses (Lyons); (15) NBEC revenues and expenses (Lyons); (16) Pension and OPEB tracker amortization (Giacone); (17) PAYS amortization (Lyons); (18) Payroll expense (Amenthor); (19) Payroll taxes (Amenthor); (20) Transmission revenues and expenses (Lyons); (21) Excess deferred income tax tracker amortization (Young); (22) Charge Ahead amortization (Lyons); (23) PISA deferrals (Nieto); (24) Late fee revenues (Majors); (25) PAYS revenues (Lyons); (26) Customer Advances (Majors); (27) Customer Deposits (Majors); (28) Pension and OPEB costs and deferrals (Giacone); (29) PAYS deferrals balance (Lyons); (30) Fuel inventory (Young); (31) Materials & Supplies (Majors); (32) Prepayments (Majors); (33) Property taxes (Lyons); and (34) Income taxes (Young).

Q. Has the Company identified any errors or miscalculations in its or Staff's revenue requirements or supporting workpapers?

A. Yes. The Company has conferred with Staff and both parties have acknowledged errors and miscalculations that each party intends to correct in true-up direct testimony.

Q. Does this conclude your rebuttal testimony?

A. Yes, it does.

Ameren Missouri
ER-2022-0337
Schedule MJL-R1

INCOME TAX ILLUSTRATIVE EXAMPLE

PRE-CMT	Year 1 ("today")
Tax Expense	100
Tax Payment (excluding CMT)	20
DTL ("loan" to Utility from Customers)	(80)
Return on Rate Base	10%
"interest" on "loan"	(8)
Revenue Requirement (excluding CMT)	92

POST-CMT	Year 1 ("today")
Tax Expense	100
Tax Payment (excluding CMT)	20
CMT Tax Payment	10
Total Tax Payments	30
DTL	(80)
CMT DTA	10
Total DTL, net ("loan" to Utility from Customers	(70)
Return on Rate Base	10%
"interest" on "loan"	(7)
Revenue Requirement (including CMT)	93

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Union Electric Company d/b/a Ameren Missouri's Tariffs to Adjust Its Revenues for Electric Service.	)))	Case No. ER-2022-0337

AFFIDAVIT OF MITCHELL LANSFORD

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

Mitchell Lansford, being first duly sworn states:

My name is Mitchell Lansford, and on my oath declare that I am of sound mind and lawful age; that I have prepared the foregoing *Rebuttal Testimony*; and further, under the penalty of perjury, that the same is true and correct to the best of my knowledge and belief.

/s/ Mitchell Lansford
Mitchell Lansford

Sworn to me this 15th day of February, 2023.