

**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 Decrease Its Revenues    )  
for Electric Service.    )            Case No. ER-2019-0335

**AMEREN MISSOURI’S RESPONSE TO PUBLIC COUNSEL’S REPLY TO AMEREN  
MISSOURI’S OPPOSITION TO  
OPC’S MOTION TO AMEND PROCEDURAL SCHEDULE**

COMES NOW Union Electric Company d/b/a Ameren Missouri (the “Company” or “Ameren Missouri”) and for its Response to the Reply filed this morning by the Office of the Public Counsel (“OPC”), states as follows:

1.       OPC’s Reply inaccurately claims that OPC wants “one more business day” for the filing of surrebuttal testimony. OPC Reply, ¶ 2. Surebuttal testimony is currently due February 14, a Friday. OPC’s proposed amendment would have it due on February 18, the following Tuesday. The following Tuesday is *two* business days later and four *calendar* days later, which would substantially upend the remainder of the procedural schedule.

2.       Under the current schedule, OPC has 21 calendar days to prepare surrebuttal testimony. If one were to assume that the two days formerly set aside for informal settlement discussions were unavailable for any work at all, OPC has 19 calendar days, as does everyone else. With the change of the settlement conference to February 7, OPC now has *20 calendar days* even if one assumes no work can be done on February 7 when the settlement conference will be held. Moreover, before the change of the settlement conference to February 7, OPC had 18 business days, or 16 business day after taking out the 2 originally scheduled settlement conference days. After the change of the settlement conference, OPC has 17 business days. No matter how one looks at it, OPC has already been given more time than the parties all agreed was appropriate when the procedural schedule was first established.

3. As previously outlined, if the parties do not receive surrebuttal testimony until (likely) the end of the day on February 18 (and are not due to get workpapers until February 20), severe problems with figuring out, agreeing upon, finalizing, and filing the List of Issues, etc. will ensue. And OPC fails to address, or rebut, a single one of the other problems OPC's unjustified attempt to enlarge its time to prepare surrebuttal testimony will cause, including the domino effect the change would have on the rest of the schedule. The claim that moving the schedule four calendar days has no impact on the rest of it is simply not credible.

4. OPC has suffered no prejudice from already being given more time to work on its surrebuttal testimony, its proposal if adopted would work to the substantial prejudice of the Company (and the Company would submit, to the other parties and the Commission), and there is no justification for OPC to now enlarge its time from 21 calendar days to 25 calendar days, which would afford OPC more time to prepare and file surrebuttal testimony than any party has had in any of the Company's last six electric rate cases.

WHEREFORE, the Company renews its request that the Commission make and enter its order denying OPC's Motion to Amend Procedural Schedule.

/s/ James B. Lowery  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via e-mail on counsel for the parties of record in this case on the 6th day of February, 2020.

/s/ James B. Lowery  
James B. Lowery