

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

In the Matter of the Adjustment of Union Electric	)	
Company d/b/a Ameren Missouri's Fuel Adjustment	)	File No. ER-2016-0130
Clause for the 20 <sup>th</sup> Accumulation Period.	)	Tariff No. YE-2016-0129

**JOINT RESPONSE TO ORDER DIRECTING FILING**

COME NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri"), the Missouri Public Service Commission Staff ("Staff), the Office of the Public Counsel ("OPC") and the Missouri Industrial Energy Consumers ("MIEC") and for their *Joint Response to the Order Directing Filing* ("Joint Response"), state as follows:

1. On January 12, 2016, Ameren Missouri, Staff, OPC and MIEC (jointly, "Signatories") filed a *Nonunanimous Stipulation and Agreement* ("Stipulation") which removed an adjustment to the fuel adjustment clause (FAC) calculation for the 20<sup>th</sup> Accumulation Period (the subject of this case) caused by a drop in usage by Noranda Aluminum, Inc. ("the N Factor").

2. On January 13, 2016, the Missouri Public Service Commission ("Commission") issued an *Order Directing Filing and Setting Deadline for Objections to Nonunanimous Stipulation and Agreement* ("Order"). This Order requires the Signatories to file a pleading which identifies and justifies the variances requested in the Stipulation.

3. The variance referenced in the Stipulation identified one Commission regulation, 4 CSR 240-20.090(4). The Signatories believe this is the only regulation from which a variance may be needed. To the extent that this portion of the Commission's regulations could be interpreted to prevent collection of the N Factor amounts (as will be determined according to the Stipulation) in a later tariff because it was not resolved within the 60 days required by the regulation, the Signatories ask for a variance from that requirement.

4. The second variance that may be needed is from portions of Ameren Missouri's FAC tariffs. Starting on MO.P.S.C. Schedule No 6, 1<sup>st</sup> Revised Sheet No. 73, there are multiple references to "Accumulation Period" or "AP" and "Recovery Period" or "RP." These terms are defined on Sheet No. 73. The Stipulation isolates a cost from the June through September Accumulation Period and moves the collection of that cost to a different Recovery Period than is specified in the tariff. Normally, the Recovery Period for the Accumulation Period at issue would be February through September. Under the terms of the Stipulation, the Recovery Period could be June through January or an even later Recovery Period, depending on how long it takes to reach a determination on the calculation methodology for the N Factor adjustment.<sup>1</sup>

5. The Signatories believe good cause exists for these variance requests. As stated in the Stipulation, the Signatories agree that the N Factor adjustment will occur after the 60 days referenced in Commission regulations and during a different Recovery Period than set forth in the tariff. Accordingly, these variances are necessary to ensure that the identified regulation and tariff do not prohibit the N Factor adjustment from occurring at a future date, and to afford the Signatories ample time to resolve their differences regarding the adjustment.

6. The Signatories believe it appropriate to grant the variances now rather than in a later fuel adjustment rate filing. The N Factor adjustment is being withheld from this filing and granting the requested variances provides the assurance that the Stipulation will operate in the manner intended by the Signatories.

WHEREFORE, Ameren Missouri, Staff, OPC and MIEC respectfully request that the Commission accept this Joint Response and grant relief as requested in the Nonunanimous Stipulation and Agreement.

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<sup>1</sup> Ameren Missouri's tariffs explicitly allow for it to request a variance from a portion of its tariffs for good cause shown. MO.P.S.C. Schedule 6, Original Sheet No. 105.

Respectfully submitted,

UNION ELECTRIC COMPANY,  
d/b/a Ameren Missouri

/s/ Wendy K. Tatro

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic transmission, facsimile or email to counsel for parties in this case on this 14<sup>th</sup> day of January, 2016.

/s/ Wendy K. Tatro