

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

In the Matter of Ameren Missouri’s Request for a)
Variance from the Triennial Filing Date Requirement) EE-2022-
Found in 20 CSR 4240-22.080)

**REQUEST FOR VARIANCE FROM 20 CSR 4240-22.080(1)(C) AND
WAIVER OF 60-DAY NOTICE IN 20 CSR 4240-4.017(1)**

COMES NOW, Union Electric Company, d/b/a Ameren Missouri (Ameren Missouri or Company), and for its *Request for Variance from 20 CSR 4240-22.080(1)(C) and Waiver of 60-Day Notice and Waiver of 60-Day Notice in 20 CSR 4240-4.017(1)*, states as follows:

1. Pursuant to the Missouri Public Service Commission’s (Commission) Electric Utility Resource Planning ("IRP") rules, Ameren Missouri is required to file its next triennial compliance filing on April 1, 2023.
2. Ameren Missouri requests the Commission grant the Company a variance from this requirement and allow it to make its next triennial compliance filing on or before October 1, 2023.

Request for Variance of Filing Date

3. Ameren Missouri's process for producing its triennial IRP filing under the Commission's Chapter 22 rules is closely linked to its process for gaining Commission approval for demand-side management programs under the Commission's Chapter 20 rules implementing the requirements of the Missouri Energy Efficiency Investment Act ("MEEIA").
4. The Commission’s MEEIA rules require that electric utilities conduct a new Demand Side Management potential study no less than every four years.¹ Specific requirements in the Commission’s MEEIA rules also link review and approval of DSM programs and cost

¹ 20 CSR 4240-3.164(2)(A).

recovery and incentive mechanisms to analyses included in triennial IRP filings.² Specifically, the MEEIA rules require that the portfolio of programs for which approval is being requested must: 1) show a relationship of the demand-side programs to demand-side resources in the latest IRP compliance filings; and 2) are included in the utility's preferred IRP, or have been analyzed through the integration process required by 20 CSR 4240-22 to determine the impact of the demand-side programs on the net present value of the utility's revenue requirements.

5. Ameren Missouri's next potential study will require over a year to complete, and the results that are used in the Company's 2023 IRP filing will not be available until early 2023. Accordingly, early 2023 is the earliest the Company can initiate its development of alternative resource plans for use in integration and risk analysis. After that analysis is complete, the Company performs a robust process for the selection of the preferred resource plan and acquisition strategy, including communication with the Ameren Board of Directors. Allowing Ameren Missouri until October 1, 2023 will provide sufficient time to conclude this process with the best information possible for its triennial IRP filing.

6. With the delay in the triennial compliance filing date, the Company also requests a commensurate delay in the annual update workshops with Staff and other stakeholders for 2024 and 2025 (from April 1st to October 1st of each year). Delaying the annual updates to match the IRP filing date will allow the interval in updates during the triennial IRP period anticipated by the Commission's rules.

7. This is not the first request to allow the Company to file in October rather than in April. As can be seen in the list below, Ameren Missouri has filed its last three triennial compliance filings on or just before October 1st.

² 20 CSR 4240-20.093(9)(B)11; 20 CSR 4240-20.094(4)(I)3.

- File No. EO-2015-0084 was filed on October 1, 2014.
- File No. EO-2018-0038 was filed on September 25, 2017.
- File No. EO-2021-0021 was filed on September 27, 2020.

The Company submits that this change in IRP schedule has not negatively impacted any party's ability to adequately review or comment upon its triennial filing.

Request for Waiver of 60 Day Notice

8. 20 CSR 4240-4.017(1) requires a 60-day notice in advance of filing a case, with a “case” being defined as “[a]ny matter filed before the commission for its determination except working dockets, rulemaking dockets, and investigatory dockets.” 20 CSR 4240-4.015(1).

9. The 60-day notice requirement can be waived for good cause shown and the rule itself establishes that good cause in fact exists if the party seeking the waiver files “a verified declaration . . . that it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue³ likely to be in the case . . .” A verified declaration meeting those requirements is attached to this Request. Consequently, good cause has been established.

WHEREFORE, Ameren Missouri asks the Missouri Public Service Commission to grant it a variance from the filing date requirement of 20 CSR 4240-22.080(1)(C) and allow the Company until October 1, 2022, to make its next triennial compliance filing as well as a waiver of the 60-day notice requirement of 20 CSR 4240-4.017(1), as set forth above.

Respectfully submitted,

(Signature block on following page)

³ The phrase “substantive issue” is defined by 20 CSR 4240-4.015(14).

/s/ Wendy K. Tatro

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 10th day of March, 2022, to all parties in the Company's previous Triennial Compliance Filing docket, File No. EO-2021-0021.

/s/ Wendy K. Tatro
