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

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In the Matter of Union Electric Company d/b/a Ameren Missouri's Filing to Implement Regulatory Changes in Furtherance of Energy Efficiency as Allowed by MEEIA.

File No. EO-2012-0142

## RENEW MISSOURI'S MOTION TO BE EXCUSED FROM EVIDENTIARY HEARING

COMES NOW, Earth Island Institute d/b/a Renew Missouri ("Renew Missouri"), pursuant to the Commission's rule at 4 CSR 240-2.110 and moves to be excused from the evidentiary hearing scheduled for October 24, 2016 in this case. For its motion, Renew Missouri states as follows:

1. This case arose from a disagreement around the performance incentive Ameren Missouri received pursuant to its Cycle I MEEIA portfolio approved in this case in 2012. On September 28, 2016, the Commission adopted a procedural schedule in this case that set a hearing date for October 24, 2016.

2. The Commission's rule at 4 CSR 240-2.110(2)(B) states: "failure to appear at a hearing without previous having secured a continuance shall constitute grounds for dismissal of the party or the parties' complaint, application or other action *unless good cause for the failure to appear is shown*." (emphasis added.)

 Renew Missouri does not plan to call any witnesses or file any position statement in connection with the October 24 hearing or any other issue in this case at this time.
Furthermore, counsel for Renew Missouri is unable to attend the hearing for reasons of being out-of-state on October 24.

WHEREFORE, Renew Missouri respectfully requests that the Commission find there is good cause to excuse Renew Missouri's absence from the October 24 evidentiary hearing.

Respectfully submitted,

<u>/s/ Andrew J. Linhares</u> Andrew J. Linhares, # 63973 1200 Rogers Street, Suite B Columbia, MO 65201 T: (314) 471-9973 F: (314) 558-8450 Andrew@renewmo.org

ATTORNEY FOR EARTH ISLAND INSTITUTE d/b/a RENEW MISSOURI

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was mailed, faxed, or emailed to all counsel of record on this <u>19th</u> day of October 2016.

/s/ Andrew J. Linhares Andrew J. Linhares