

## Appendix B

### Procedures Applicable to Evaluation, Measurement, and Verification ("EM&V") Reports

1. 60 days after the end of each program year, the EM&V contractor ("Evaluator"<sup>1</sup>) will circulate a draft EM&V report to all stakeholders participating in the stakeholder group and the Commission's Independent EM&V Auditor ("Auditor").
2. 45 days after circulation of the draft EM&V report, the Auditor and each stakeholder group participant will provide any comments and recommendations for report changes to the Evaluator and to all other stakeholder group participants and the Auditor. The Signatories recognize there is a benefit to providing comments as early as possible, as providing comments and recommendations earlier to the Evaluator will allow for more time for the incorporation of comments and changes into the Final Report.
3. Prior to issuing the Final EM&V Report, the Evaluator will host at least one meeting with the Auditor and the stakeholder group participants to discuss the comments and recommendations for report changes. The Evaluator will determine what comments and/or changes are incorporated into the Final EM&V Report. Thirty days after the deadline for comments and recommendations for report changes, the Final EM&V report will be provided to all stakeholder group participants by the Evaluator.
4. Subject to the limitations imposed by paragraph 5 below, any stakeholder group participant who wants a change to the impact evaluation portion of a Final EM&V Report will have 21 days from the issuance of the Final EM&V Report to file a request with the Commission to make such a change ("Change Request"). Any stakeholder group participant filing a Change Request will set forth all reasons and provide all support for the requested change in its initial Change Request filing. Responses to a Change Request may be filed by any stakeholder group participant and are due 21 days after the Change Request is filed. The response should set forth all reasons and provide all support for opposing or agreeing with the Change Request. Within 5 business days after the deadline for filing a Change Request (if a Change Request is filed), the Signatories agree that the stakeholder group participants will hold a conference call/meeting to agree upon a proposed procedural schedule that results in any evidentiary hearing that is necessary to resolve the Change Request to be completed within 60 days of the filing of the Change Request, and which will recommend to the Commission that the Commission issue its Report and Order resolving the Change Request within 30 days after the conclusion of such a hearing. The Signatories anticipate a hearing with live testimony may be required to resolve a Change Request, but if a hearing is not required, they agree to cooperate in good faith to obtain Commission resolution of a Change Request as soon as possible. The Signatories will be parties to a Change Request resolution proceeding without the necessity of applying to intervene. The procedural schedule for such a Change Request proceeding will provide that data request

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<sup>1</sup> Evaluator and Auditor are referred to in the singular for the purposes of this agreement. In practice, the Evaluator or Auditor functions may be fulfilled by multiple people or contractors, and the procedures outlined herein shall not be interpreted to be inapplicable in such circumstances.

objections must be lodged within 7 days and responses will be due within 10 days (notifications that additional time is required to respond will also be due within 7 days). All Signatories will be bound by the impact evaluation portion of the Final EM&V Reports as may be modified by the Commission's final resolution of any Change Requests filed (this provision shall not be interpreted as a waiver of any party's right to seek reconsideration or appeal).

5. In each year in which an EM&V report is issued (2016-2018), the final Evaluator and Auditor portfolio-wide energy savings NTG shall be averaged for the respective program year. If the portfolio-wide averaged energy savings NTG is between 0.9 and 1.1, then the NTG will be deemed to 1.0, and the portfolio-wide program year net annual energy savings and annual net shared benefits will be calculated consistent with a portfolio-wide NTG of 1.0 for the Evaluator's program year final EM&V reports. 30 days after the deadline for comments and recommendations for report changes described above, the final EM&V reports (with the Evaluators' NTG to be used as the first component for calculation of the portfolio-wide average NTG) will be provided to all stakeholder group participants by the Evaluator. In addition to the EM&V reporting process steps described above, the Auditor shall provide a final recommendation on the portfolio NTG (to be used as the second component for calculation of the portfolio-wide average NTG) no later than 7 days after the Evaluator's final reports in order to facilitate the timely averaging of the Evaluator and Auditor results.
6. If the final Evaluator and Auditor averaged savings calculations result in a portfolio-wide average energy savings NTG lower than 0.9 or higher than 1.1, the parties are free to file change requests, initiate litigation or otherwise contest the program year EM&V results in the manner specified in paragraph 4 above.
7. The Signatories understand and agree that the Evaluator and Auditor shall be free of any unilateral persuasion, pressure, advocacy, encouragement or other communication suggesting, directly or indirectly, a particular NTG outcome on a measure or methodology used to determine NTG, at a program or portfolio level, provided, however, the Signatories may discuss or communicate with the Auditor and Evaluator as part of the stakeholder process concerning the methods applied or outcomes reached. Ameren Missouri shall make arrangements for two live calls with the Evaluator that are open to stakeholders. The Auditor will participate in these calls. The calls shall be scheduled after the draft Evaluator's EM&V reports are provided, but before the final Auditor EM&V report is issued. If all parties agree, either or both calls may be canceled. This provision is intended to ensure the final EM&V results reached by the Evaluator and Auditor reflect their respective professional judgments, and their judgments alone. Nothing in this provision is intended to preclude any stakeholder from engaging in the normal course of discovery. Nothing in this provision is intended to discourage stakeholder dialogue, including or excluding the Evaluator and Auditor, concerning pending or past EM&V results.