

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held by telephone
and internet audio conference
on the 6th day of May, 2020.

In the Matter of the Application of Union Electric)	
Company d/b/a Ameren Missouri for Permission and)	
Approval and a Certificate of Convenience and)	File No. EA-2019-0181
Necessity Under 4 CSR 240-3.105)	

**ORDER APPROVING UNCONTESTED CHANGE
TO STIPULATION AND AGREEMENT**

Issue Date: May 6, 2020

Effective Date: May 25, 2020

A Stipulation and Agreement (Stipulation) was reached in this case, and was approved by the Missouri Public Service Commission on August 15, 2019. Approved was a certificate of convenience and necessity (CCN) to construct and operate a wind generation facility in Atchison County, Missouri, which includes gen-tie facilities that may be located in Holt County, Missouri.¹

On April 24, 2020, Union Electric Company d/b/a Ameren Missouri (Ameren Missouri) and the Missouri Department of Conservation (MDC) (jointly Movants) jointly filed a motion to amend the Commission's order approving the Stipulation.

Movants would like to amend two portions of Item six, in Exhibit A to the Stipulation. The first portion to be amended calls for Ameren Missouri and MDC to work in good faith to reach an agreement on a pilot study, and that the agreement was to be reached within nine months of the issuance of the CCN. The nine-month period expires May 25, 2020.

¹ An Order of Correction issued September 3, 2019, addressed the gen-tie facilities in Holt County.

Movants propose to extend the due date to reach agreement on a pilot study from nine months to twenty-four months. Movants also propose to amend the due date of the study's completion from six years after the Project's operation to six years after a commencement date agreed upon by Ameren Missouri and MDC.

Item six of Exhibit A to the Stipulation is proposed to read:²

Within [nine] **twenty-four** months of the issuance of a Certificate of Convenience and Necessity in this case, the Company and MDC will work in good faith to reach agreement on a pilot study to evaluate the effectiveness of informed curtailment technology to minimize raptor collisions using some of the Project's turbines. The study will finish within [the first] six years [of the Project's operation] **from the commencement date agreed upon by the Company and MDC**. The study would include providing MDC or its contractors access to the Project area as reasonably needed to conduct the study. The study would likely involve a camera-based detection system to facilitate turbine shutdown in the presence of raptors and/or it may involve tracking raptor movement and behavior with GPS-telemetered birds in or near the Project area. The study will likely compare "treatment" turbines that use the informed curtailment technology with turbines that do not use the technology. The pilot study is subject to MDC securing the necessary funds for such study.

These amendments are requested in light of the fact that Ameren Missouri is not expected to take ownership of the facility until late in 2020, along with various federal regulatory requirements and Ameren Missouri's internal controls.

The Movants state that they have inquired of all other parties and each indicated they have no objection to this motion. The Commission is relying on this statement of inquiry and non-objection in making its ruling. Commission rule allows parties ten days to respond to any filing. More than ten days have passed and no parties have responded or objected to this motion.

² Deletions from original in []; additions in **boldface** type.

As the due date of May 25, 2020, is less than thirty days away and because the relief granted by this order is unopposed, the Commission finds good cause exists to make this order effective in less than thirty days.

THE COMMISSION ORDERS THAT:

1. The Motion to Amend Order Approving Stipulation and Agreement, filed by Ameren Missouri and MDC, is granted.
2. The Stipulation and Agreement approved by the Commission on August 15, 2019, and corrected on September 3, 2019, is hereby amended as described in the body of this order.
3. The signatories to the Stipulation and Agreement approved by the Commission on August 15, 2019, and corrected on September 3, 2019, shall comply with the new terms of the agreement as described in the body of this order.
4. This order shall be effective on May 25, 2020.



BY THE COMMISSION

A handwritten signature in dark ink, reading "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Hatcher, Regulatory Law Judge