

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

In the Matter of the Application of Union)
Electric Company d/b/a Ameren Missouri for)
Permission and Approval and a Certificate) **FILE NO. EA-2022-0244**
of Public Convenience and Necessity)
Authorizing it to Construct a Renewable)
Generation Facility)

STAFF’S REPORT AND RECOMMENDATION

On July 7, 2022, Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) filed an application (“Application”) that seeks permission and approval pursuant to Sections 393.170 and 393.190.1, RSMo, for a certificate of convenience and necessity (“CCN”) authorizing Ameren Missouri to construct, install, own, operate, maintain, and otherwise control and manage a 200 megawatt solar generation facility in Audrain and Ralls Counties, Missouri (the “Huck Finn Solar Project,” “Huck Finn,” or “Project”) pursuant to a build transfer agreement with EDF Renewables Development, Inc. Ameren Missouri also requested waivers of affiliate transaction rules 20 CSR 4240-20.015 (2) and (3) and of certain filing requirements of 20 CSR 4240-20.045(3)(C). The Commission ordered the Commission Staff to file its recommendation no later than December 1, 2022.

Staff recommends the Commission grant Ameren Missouri the CCN subject to the ten conditions set out in Staff’s Report. As fully explained in the Report, Staff recommends the Commission deny Ameren Missouri’s waiver request from affiliate transactions rule requirements because Ameren Missouri is no longer pursuing a tax equity partner and so no affiliate transaction waiver is needed. Staff recommends the Commission approve Ameren Missouri’s waiver request from certain filing requirements

pursuant to 20 CSR 4240-20.045(3)(C), subject to the conditions that Ameren Missouri: (1) provide as-built drawings; and (2) submit its overview of plans for restoration of safe and adequate service after significant, unplanned/forced outages, no more than 60 days after the site is commercially operational.

The project is a 200 MW-AC solar generation facility in Audrain and Ralls Counties, Missouri, to be connected to the transmission system under the functional control of Midcontinent Independent System Operator, Inc. The Huck Finn Project will be constructed pursuant to a build transfer agreement between HFREC Holding Company, LLC (a subsidiary of Ameren Missouri Renewables Holdco, LLC) and EDF Renewables Development, Inc. The facility will be acquired by Ameren Missouri through various subsidiaries under the build transfer agreement and related transactions. The build transfer agreement notice to proceed deadline is March 27, 2023, and the project is expected to be fully operational by December 1, 2024.

In *In the Matter of the Application of Tartan Energy Company, LLC, d/b/a Southern Missouri Gas Company*, 3 Mo P.S.C.3d 173, 177 (1994), the Commission identified five criteria to consider in determining whether granting the requested CCN is “necessary or convenient for the public service.” Those factors are:

1. Is the service needed?
2. Is the applicant qualified to provide the service?
3. Does the applicant have the financial ability to provide the service?
4. Is the applicant’s proposal economically feasible? and
5. Does the service promote the public interest?

Based on Staff's investigation and the reasons set out in detail in its Report, Staff concludes that the CCN application satisfies the Tartan factors. Staff's conclusion that the application promotes the public interest is based upon all of evidence considered under the first four Tartan factors as well as other evidence set out in detail in the Report concerning affiliate transactions, in-service testing, the interconnection transmission line, and applicable Institute of Electrical and Electronics Engineers standards.

Staff recommends that the Commission attach the following conditions to any order granting Ameren Missouri a CCN:

1. Ameren Missouri shall file with the Commission all as built drawings for the project no later than 60 days after the site is commercially operational.
2. Ameren Missouri shall file with the Commission the final version of the plans for restoration of safe and adequate service no later than 60 days after the site is commercially operational.
3. Ameren Missouri shall file with the Commission notice when the ownership of the communication line has been determined and no later than 60 days after the CCN is approved.
4. Progress Reports: Ameren Missouri shall file with the Commission quarterly progress reports on the plans and specifications for the project, and the first report shall be due on the first day of the first calendar quarter beginning after the CCN is issued.
5. Ameren Missouri shall no longer pursue the use of a tax equity partnership to finance the construction and instead utilize the PTCs that will be generated by the Huck Finn solar project.
6. The Commission shall note the in-service criteria contained in Confidential SEL1 and Confidential SEL 2 are appropriate for use in a future case to determine whether the Huck Finn solar project is in-service.
7. The authority that Staff recommends for the project, does not extend to the construction of the interconnection transmission line.
8. Huck Finn shall be constructed and operating in compliance with IEEE Standard P2800™.
9. Ameren Missouri shall sell available RECs in excess of the Missouri RES requirements prior to expiration and the revenues of such sales shall be returned to ratepayers.

10. Ameren Missouri shall notify the Commission and provide an updated economic analysis if the upgrade cost exceeds those outlined in the Generator Interconnection Agreement more than 15%.

WHEREFORE, Staff prays that the Commission accept this Report and Recommendation as in compliance with its orders.

Respectfully submitted,

/s/ Paul T. Graham

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CERTIFICATE OF SERVICE

The undersigned certifies by his signature below that on December 1, 2022, he filed the above document in the EFIS file of the Missouri Public Service Commission.

/s/ Paul T. Graham