

3. Ameren Missouri generally will not object to the request of a party to intervene in a proceeding and has itself requested, and been granted, intervention after the deadline in a case. While it is typically reticent to object to an intervention request, in this instance, it feels compelled to do so, for two primary reasons. First, Armada requested intervention a full five months after the initial intervention deadline in this matter with no good cause for the delay. Second, Armada's intervention application fails to even attempt to comply with the Commission's rules governing intervention.

4. 20 CSR 4240-2.075(10) provides that the Commission may allow intervention out of time upon a showing of good cause. 20 CSR 4240-2.075(3) states that the Commission may grant a motion (whether timely or untimely) to intervene when:

- (A) The proposed intervenor or new member(s) has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or
- (B) Granting the proposed intervention would serve the public interest.

5. Armada's motion to intervene completely fails to demonstrate the existence of a unique interest in this matter which would be adversely affected if it were not allowed to intervene, nor does it demonstrate that its proposed intervention would serve the *public* interest, as opposed to its own private, commercial interest. Instead, Armada has simply indicated that it recently determined that it may begin to market its services in the state of Missouri. After that decision was made, Armada requested intervention in this proceeding and included comments and testimony suggesting that its services be incorporated in the Company's IRP. The comments and testimony provided suggest that Ameren Missouri's IRP should be modified to specifically include the services Armada offers. A monetary benefit derived by ensuring its business is specifically

incorporated into Ameren Missouri's IRP is insufficient to demonstrate good cause for intervention, let alone intervention significantly out of time. Further, Armada's own statements indicate that the motion to intervene is for Armada's own private interest rather than the interest of the public in general.

5. While the Commission's Electric Utility Resource Planning rule does require various resource analyses, it does not require the adoption or incorporation of a specific branded technology, nor does the lack of participation by a particular vendor preclude that vendor from marketing and selling its products and services in Missouri. For example, the preferred plan in the IRP calls for the addition of new wind and solar resources throughout the planning horizon, including in the near- and intermediate terms, but it does not – nor should it – specify the vendor for the turbines that might be used in a wind facility or the photovoltaic panels that might be installed at a solar generation facility. In fact, nothing in the Commission's IRP rule contemplates or even authorizes the Commission to specifically sanction a given supply- or demand-side resource, including use of certain equipment like that apparently offered for sale by Armada. Indeed, it is arguably an abuse of the IRP process for a vendor to seek participation in a planning docket as a means to enhance its ability to sell products or services. Accordingly, Armada has not demonstrated that it has an interest in this proceeding as an intervenor, let alone demonstrated the good cause required for late-filed intervention in this proceeding.

WHEREFORE, Ameren Missouri requests that the Commission deny Armada's late-filed request for intervention.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been served on all counsel of record by electronic mail on this 8th day of April, 2021.

/s/ Paula N. Johnson
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