

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

In the Matter of Ameren Missouri’s)
Request for a Variance Regarding)
its Renewable Energy Standard Compliance.) Case No. EE-2022-0074

AMEREN MISSOURI’S RESPONSE TO STAFF’S RECOMMENDATION

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company"), and in response to the *Staff Recommendation* ("*Recommendation*"), states as follows:

1. On September 9, 2021, Ameren Missouri filed its request for variance from a portion of the Missouri Public Service Commission’s (“Commission”) Renewable Energy Standard (“RES”) rules, pursuant to 20 CSR 4240-20.100(11). Specifically, the Company requested a variance from a portion of the rules codified at 20 CSR 4240-20.100(3)(J) and for a waiver of the 60-day notice requirement in 20 CSR 4240-4.017(1).

2. Ameren Missouri made its Request for Variance, because it does not receive complete information concerning its sales until 30-90 days after the compliance year has ended. Therefore, Ameren Missouri would not know the number of Renewable Energy Credits ("RECs") to retire for a given compliance year until as late as March of the following compliance year. Furthermore, while Ameren Missouri could purchase additional RECS 60-90 days before the end of the compliance year, doing so could result in the purchase of unnecessary RECs.

3. On October 21, 2021, the Staff filed its *Recommendation* in this case, in which it recommended the Commission grant a variance from 20 CSR 4240-20.100(3)(J) for only the 2021 compliance year, and a waiver of the 60-day notice requirement in 20 CSR 4240-4.017(1). Ameren Missouri agrees to the Staff’s recommendation to grant the requested variance for the 2021

compliance year.

4. With regard to future compliance years, pursuant to the *Recommendation*, Staff suggests that Ameren Missouri could “plan ahead in order to achieve compliance in the future.” However, as explained more fully in the Company’s Request for Variance, Ameren Missouri’s inability to achieve compliance is not an issue of planning ahead. Rather, the Company’s ability to achieve compliance with 20 CSR 4240-20.100(3)(J) is directly impacted by its use of RECs generated in the same compliance year coupled with the 60-90 day delay in receipt of MISO settlement data (upon which Ameren Missouri would determine the number of RECs it must retire).

5. Accordingly, Ameren Missouri agrees with the Staff’s recommendation to grant a variance from 20 CSR 4240-20.100(3)(J) for the 2021 compliance year. However, Ameren Missouri recommends that it engage in further discussions with the Staff to reach an agreement on compliance with 20 CSR 4240-20.100(3)(J) for future years.

WHEREFORE, Ameren Missouri requests that the Commission issue an Order approving the Company's Application, with the conditions to which it has agreed.

Respectfully submitted,

(Signature block on following page)

/s/ Denise Fields

Denise Fields, Mo Bar #60036

300 E. 39th Street, Suite LL1F

Kansas City, MO 64111

(816) 474-1700 (phone)

(816) 421-6239 (fax)

dfields@fieldsandbrown.com

Wendy K. Tatro, Bar #60261

Director and Assistant General Counsel

Ameren Missouri

P.O. Box 66149 (MC 1310)

1901 Chouteau Avenue

St. Louis, MO 63166-6149

(T) 314-554-3484

(F) 314-554-4014

AmerenMOService@ameren.com

**ATTORNEYS FOR
UNION ELECTRIC COMPANY
D/B/A AMEREN MISSOURI**

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Response have been transmitted electronically to all counsel of record this 1st day of November, 2021.

/s/ Denise Fields