BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Renewable Energy Standard)
Compliance Report 2013 and Renewable Energy) File No. EO-2014-0291
Standard Compliance Plan 2014-2016.)

RESPONSE TO RENEW MISSOURI'S MOTION TO RECLASSIFY INFORMATION AS PUBLIC AND REQUEST TO ACCEPT RESPONSE OUT OF TIME

COMES NOW Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri" or the "Company") and files the following *Response to Renew Missouri's Motion to Reclassify Information as Public*:

- 1. In its 2014-2016 RES Compliance Plan submitted in this proceeding, Ameren Missouri designated as Highly Confidential certain information related to the Company's proposed compliance with Missouri's Renewable Energy Standard ("RES") over the next ten years.
- 2. On April 29, 2014, Renew Missouri filed a request to make public certain of the information designated as Highly Confidential. The request is limited to the information marked as Highly Confidential on page 17 of the Company's Compliance Plan. Renew Missouri does not take issue with other portions of the report which are classified as Highly Confidential.
- 3. Ameren Missouri opposes Renew Missouri's request to make this information public. The information at issue is the table in the Compliance Plan which contains the Company's proposed RES compliance and estimated cost impacts of such RES compliance. The Highly Confidential information includes the Company's estimated costs for landfill gas, assumptions on capital costs for new wind or solar builds along with the Company's decisions on the timing of new resources. These forecasts are all costs that Ameren Missouri anticipates will

be submitted for bid. To provide potential contractors and suppliers with a forecast of what level of costs the Company anticipates it will have to pay would effectively set a floor for those costs, ultimately increasing the cost to Ameren Missouri's customers, an outcome that would not be in the public interest. The table also includes a year by year forecast of revenue requirements which could be construed by the financial markets as a forecast of revenue. These forecasts have not otherwise been divulged to the general investment community. This information is not contained in the Company's general disclosures or SEC filings, is uncertain (in that the Company doesn't know if the forecasts will become true or not) and has the possibility to mislead investors. For all of these reasons, the information is appropriately labeled Highly Confidential.

- 4. Of course, all of the information labeled Highly Confidential is available to the Commission, to the Commission Staff, to the Office of the Public Counsel and to counsel or outside experts working on the case. It is not as if this information is going without review. Indeed, it is scrutinized by multiple parties, including Renew Missouri.
- 5. Further, there is a great deal of information available to the public in the Compliance Plan. To list a few examples starting on page six, there is a clear statement that Ameren Missouri intends to comply with the RES using Renewable Energy Credits ("RECs") generated by its Keokuk Hydro-Electric generating station, its Maryland Heights Renewable Energy Center as well as RECs from its contract with the Horizon Pioneer Prairie wind farm. The Compliance Plan goes on to state the location, size and historical generation of each of these RECs sources. On page eight, the Compliance Plan states that Ameren Missouri plans to begin construction of its first utility-scale solar generation project in O'Fallon, Missouri. It also states that the Company is evaluating construction of a second utility-scale solar generation project as early as 2016. Contrary to the tone of Renew Missouri's pleading, there is quite a bit of

information available to the public about how Ameren Missouri "...propose[s] to comply with the RES..." (quoting the objective raised as the basis for Renew Missouri's argument for making this information public).

- 6. The information on page 17 should be treated as Highly Confidential during this proceeding and treating it in this manner is consistent with the Missouri Public Service Commission's regulations found at 4 CSR 240-2.135(1)(B)(4). This portion of the rule explicitly classifies this type of information as Highly Confidential, as it deals with information relating to services purchased or acquired by the company in providing services to customers.
- 7. Ameren Missouri requests the Commission accept this response out of time. Work on other cases, especially on File Nos. EC-2014-0223 and EC-2014-0224, has consumed a great deal of time for Ameren Missouri counsel and the date to respond to Renew Missouri's motion was overlooked. Counsel apologizes for this oversight and asks the Commission to allow this response to be accepted even though it is being filed out of time.

WHEREFORE, Ameren Missouri opposes the request filed by Renew Missouri and asks the Missouri Public Service Commission to maintain the Highly Confidential designation of the proposed compliance and estimated cost impacts of such compliance as found on page 17 of its Compliance Plan.

Respectfully submitted,

UNION ELECTRIC COMPANY d/b/a Ameren Missouri

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ATTORNEYS FOR UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this 13th day of May, 2014, served the foregoing either by electronic means, or by U. S. Mail, postage prepaid addressed to all parties of record.

Wendy K. Tatro
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