

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri for a Variance from) File No. GE-2019-
4 CSR 240-13.020(6).)

NOTICE OF CASE FILING AND REQUEST FOR VARIANCE

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "the Company"), and pursuant to 4 CSR 240-2.060(4) and 4 CSR 240-4.017, submits this *Notice of Case Filing and Request for Variance* ("*Notice and Request*") which would relieve the Company from the 60-day notice requirement of 4 CSR 240-4.017(1)(D), and facilitate the Company's proposal that would allow natural gas customers¹ to choose their own due dates. In support of its position, Ameren Missouri states as follows:

INTRODUCTION

1. Ameren Missouri has been focusing on its improving customer experience. As part of this initiative, the Company is requesting a tariff revision intended to, in the longer-term, improve customer satisfaction. That revised tariff, which will facilitate a "Pick Your Due Date" option for customers, has been filed simultaneously with this *Notice and Request*. Allowing customers to choose their due dates will alter those customers' billing cycles. 4 CSR 240-13.020(6) requires, in relevant part, the utilities to provide notice to affected customers when adjustments are made to billing cycles resulting in a change of nine (9) days or more. Customer requests for due date revisions could result in inadequate time to comply with the notice requirement. Since the change in these cases would be at the customer's request, Ameren Missouri requests waiver of this notice provision.

¹ Ameren Missouri is simultaneously filing a similar request for its electric customers, and suggests that these proceedings could be consolidated for procedural purposes.

2. Under 4 CSR 240-4.017(1)(D), waivers of the 60-day notice may be granted for good cause shown. Good cause includes, among other things, providing a verified statement that no communications have occurred with the office of the commission within the preceding 150 days regarding a substantive issue likely to be in the case. Ameren Missouri meets this requirement. Through this pleading, the Company provides notice that this case involves a tariff revision that requires a variance from the Commission's Residential Service and Billing Practices rules, as described above.

3. In support of its position and in compliance with 4 CSR 240-23.020(5), 4 CSR 240-2.060(1), 4 CSR 240-2.060(4), and 4 CSR 240-4.017(1)(D), Ameren Missouri provides the required information in the following sections of this *Notice and Request*:

I. 4 CSR 240-2.060(1), (A) through (M)²

II. Requested Variances

I. 4 CSR 240-2.060(1), (A) through (M)

Paragraph (A) – Applicant

4. The Company is a Missouri corporation doing business under the fictitious name of Ameren Missouri, organized and existing under the laws of the State of Missouri, in good standing in all respects, with its principal office and place of business located at One Ameren Plaza, 1901 Chouteau Avenue, St. Louis, Missouri 63103. The Company is engaged in providing electric and gas utility services in portions of Missouri as a public utility under the jurisdiction of the Commission. The Company is a subsidiary of Ameren Corporation.

² Those requesting variances pursuant to 4 CSR 2.060(4) must also provide the information required by 4 CSR 2.060(1).

Paragraph (B) – Articles of Incorporation; Paragraph (E) – Fictitious Name; Paragraph (G) – Information Previously Submitted; Paragraph (H) – Character of Business³

5. Ameren Missouri previously submitted to the Commission a certified copy of its Articles of Incorporation (See Case No. EA-87-105), as well as its Fictitious Name Registrations as filed with the Missouri Secretary of State’s Office (See Case Nos. EN-2011-0069 and GN-2011-0070). The Company also recently submitted to the Commission a certified copy of its Certificate of Corporate Good Standing in File No. EA-2019-0181. These documents are incorporated by reference and made a part of this *Notice and Request* for all purposes.

Paragraph I – Correspondence and Communication

6. Correspondence and Communication -- Correspondence, communications, orders and decisions in regard to this *Notice and Request* should to the undersigned counsel:

For the Company:

Paula N. Johnson
Senior Corporate Counsel
Ameren Missouri
1901 Chouteau Avenue
PO Box 66149
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AmerenMOService@ameren.com

Paragraph (K) – Actions, Judgments, and Decisions; Paragraph (L) – Fees⁴

7. Ameren Missouri has no final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates that have occurred within three years of the date of this *Notice and Request*. By the nature of its business, the Company has,

³ Paragraphs (C), (D), and (F) do not apply to Ameren Missouri.

⁴ Paragraph (J) does not apply to Ameren Missouri.

from time-to-time, pending actions in state and federal agencies and courts involving customer service or rates. Company has no annual report or assessment fees overdue to this Commission.

Paragraph (M) – Affidavit

8. An affidavit in support of this *Notice and Request* by an officer of the Company is included as Exhibit A.

II. Requested Variances

9. 4 CSR 240-4.017(D) allows a variance from the 60-day notice requirement for good cause shown. 4 CSR 240-2.060(4)(B) requires a utility to set out, among other things, the good cause for the granting of a variance or waiver. The good cause for each of these requested variances is discussed in more detail below.

A. 60-Day Notice Requirement

10. Ameren Missouri requests a variance from the 60-day notice requirement of 4 CSR 240-4.017, which states, in relevant part:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case...

Pursuant to 4 CSR 240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. The rule further provides that good cause includes "a verified declaration from the filing party that it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case..."⁵ As indicated in the Affidavit attached as Exhibit A, Ameren Missouri has had no communications with the office of the Commission (as defined by 4 CSR 240-4.015(10)) regarding any substantive issue likely to be in this case during the preceding 150 days.

⁵ Pursuant to the Commission's *Order Waiving 60-Day Notice Requirement* issued on August 1, 2017, in File No. WM-2018-0023, the examples of good cause provided in the rule are not exclusive, and the Commission may find that good cause has been established by other circumstances.

Accordingly, Ameren Missouri has established good cause for a waiver from the 60-day requirement of 4 CSR 240-4.017(1). No other public utility will be affected by granting the Company a waiver from this requirement.

B. Corrective Actions

11. Ameren Missouri requests a variance from 4 CSR 240-13.020(6) which reads, in relevant part:

If a utility changes a meter reading route or schedule which results in a change of nine (9) days or more of a billing cycle, notice shall be given to the affected customer at least fifteen (15) days prior to the date the customer receives a bill based on the new cycle.

In other words, the Company must provide notice at least fifteen (15) days in advance to customers when there is an adjustment of nine (9) days or more to that customer's billing cycle. With Ameren Missouri's requested tariff revision, it intends to allow customers to choose their own due dates for their bills. It is entirely possible a customer will choose a due date that will result in an adjustment to the customer's billing cycle of nine (9) days or more. Given that it is the customer requesting this change, notice of the change would be redundant. Accordingly, the Company is requesting a variance from fifteen (15) day notice requirement. Good cause is shown for this variance because it will avoid unnecessary customer notices that would otherwise not be required and, because of the time necessary to provide those notices, could delay the customer's requested change to the billing period. Because only Ameren Missouri's customers are impacted by this variance, no other utility should be affected.

WHEREFORE, Ameren Missouri respectfully requests that the Commission grant the requested variance of 4 CSR 240-4.017 of the 60-day notice requirement for this case, and the variance of 4 CSR 24-13.020(6), which will allow Ameren Missouri to forego customer notice requirements spurred by a customer request for a change in billing cycle.

Respectfully submitted,

/s/ Paula N. Johnson

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ATTORNEY FOR UNION ELECTRIC
COMPANY, d/b/a AMEREN MISSOURI

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the Staff of the Commission and the Office of the Public Counsel on this via electronic mail (e-mail) on this 5th day of June, 2019.

/s/ Paula N. Johnson

Paula N. Johnson

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AFFIDAVIT OF MARK C. BIRK

STATE OF MISSOURI)
) ss
CITY OF ST. LOUIS)

Mark C. Birk, being first duly sworn on his oath, states:

1. My name is Mark C. Birk. I work in the City of St. Louis, Missouri, and I am employed by Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") as Senior Vice President, Customer and Power Operations. I am responsible for departments and personnel that oversee, among other things, the interactions between Ameren Missouri and its customers, including billing matters.

2. Neither Ameren Missouri nor any person on its behalf has had any communications with the office of the Commission regarding any substantive issue likely to be an issue in the case initiated by this filing during the preceding 150 days.

3. I hereby swear and affirm that the information contained herein and in the Notice of Case Filing and Request for Variances is true and correct to the best of my information and belief.



Mark C. Birk

Subscribed and sworn to before me this 5th day of June, 2019.

GERI A. BEST
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: February 15, 2022
Commission Number: 14839811
My commission expires.


Notary Public