

**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)
Certificates of Public Convenience and)
Necessity Authorizing It to Construct)
Renewable Generation Facilities)

File No. EA-2023-0286

**ORDER DIRECTING NOTICE, SETTING INTERVENTION
DEADLINE, DIRECTING STAFF RECOMMENDATION,
AND SETTING A PREHEARING CONFERENCE**

Issue Date: June 21, 2023

Effective Date: June 21, 2023

On June 16, 2023, Union Electric Company d/b/a Ameren Missouri filed an application with the Commission seeking an order granting Certificates of Convenience and Necessity (CCNs) pursuant to Sections 393.170.1 and 393.190.1, RSMo. The CCNs would authorize Ameren Missouri to construct, install, own, operate, maintain, and otherwise control and manage (1) a 300 megawatt (MW) solar generation facility to be constructed in Warren County, Missouri (referred to as the “Split Rail Solar Project”), using a build-transfer structure to be constructed pursuant to a Build Transfer Agreement (BTA) between Ameren Missouri and Invenergy Renewables, LLC; (2) a 150 MW solar generation facility to be constructed in Cass County, Illinois (referred to as the “Cass County Solar Project”), to be constructed using a development-transfer structure under a Purchase and Sale Agreement (PSA) between Ameren Missouri and Savion, LLC; (3) a 50 MW solar generation facility to be constructed in Audrain County, Missouri (referred to as the “Vandalia Solar Project”), through utilization of an engineering, procurement, and construction (EPC) contract; and (4) a 50 MW solar generation facility to be constructed

in Pike County, Missouri (referred to as the “Bowling Green Solar Project”), through utilization of an EPC contract.

Ameren Missouri also seeks:

- authority to engage in transactions by which it would construct and finance the projects, including the Split Rail Solar Project BTA and the Cass County Solar Project PSA;
- authority under Section 393.190.1, RSMo, to complete the mergers of Split Rail Solar Energy, LLC and Cass County Solar, LLC into Ameren Missouri, with Ameren Missouri to be the survivor, after acquisition by Ameren Missouri of each of those two project companies;
- authority to record its investment in, and the costs to operate, the Huck Finn Solar Project as described in testimony attached to the application;
- a variance from the requirement in 20 CSR 4240-20.045(3)(C) so that as-built drawings for each solar project can be supplied after exercise of authority under the CCNs consistent with the condition related to as-built drawings adopted by the Commission in File No. EA-2022-0245 with a minor modification to reflect the different nomenclature in the applicable agreements for the projects;
- a variance from the requirement in 20 CSR 4240-20.045(6)(J) so that Ameren Missouri’s plans for restoration of safe and adequate service can be provided closer to the time when each solar project will commence commercial operations, also consistent with the condition relating to this requirement adopted by the Commission in File No. EA-2022-0245; and

- an order from the Commission approving the above transactions and CCNs no later than January 17, 2024.

The Commission will provide notice of the application to the general public and interested parties, set a deadline for intervention requests, and direct the Staff of the Commission (Staff) to file a recommendation. If no party requests a hearing, the Commission may determine that a hearing is not necessary for a determination of the application.¹

Ameren Missouri also filed a motion for a protective order under Commission rule 20 CSR 4240-2.135(4). The Commission will set a time for responses to the motion for a protective order. Interested potential intervenors may file responses to the motion for a protective order without having been made parties to this proceeding.

Finally, Ameren Missouri filed a *Motion for Adoption of Procedural Schedule and Motion for Expedited Treatment* on the same date that it filed its application. In its motion, Ameren Missouri provided a proposed procedural schedule and requested that the Commission set an initial prehearing conference for July 13, 2023. The Commission will grant Ameren Missouri's request to schedule a prehearing conference and allow other parties to respond to the proposed procedural schedule.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall provide a copy of this order to the County Commissions of Warren, Audrain, and Pike Counties, Missouri.
2. The Commission's Public Policy and Outreach Department shall make notice of this order available to the media serving those counties.

¹ *State ex rel. Deffenderfer v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

3. Applications to intervene in this matter shall be filed no later than July 12, 2023. The application shall be filed in the Commission's Electronic Filing and Information System (EFIS) or with the Secretary of the Commission, Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102.

4. Responses to the *Motion for Protective Order* shall be filed no later than July 12, 2023, and may be submitted by entities or persons not yet granted intervention.

5. Staff shall file a recommendation regarding the application, or a status report stating when it expects to file a recommendation no later than August 18, 2023.

6. Any other party may file a response no later than August 18, 2023.

7. A prehearing conference will be held on July 13, 2023, beginning at 1:00 p.m. The prehearing conference will be held in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Entities or persons having filed an application for intervention but not yet granted intervention may attend the prehearing conference.

8. This order shall be effective when issued.

BY THE COMMISSION



A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

Kenneth J. Seyer, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

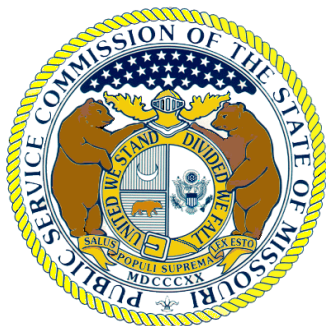
Dated at Jefferson City, Missouri,
on this 21st day of June, 2023.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 21st day of June, 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

June 21, 2023

File/Case No. EA-2023-0286

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.