

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at the Commission's office in Jefferson City on the 28th day of June, 2023.

In the Matter of the Application of Union)
Electric Company d/b/a Ameren Missouri)
for a Certificate of Convenience and) **File No. EA-2023-0226**
Necessity to Construct, Own, Operate and)
Maintain a Transmission Switchyard in)
Callaway County, Missouri)

**ORDER GRANTING CERTIFICATE OF
CONVENIENCE AND NECESSITY**

Issue Date: June 28, 2023

Effective Date: July 28, 2023

On January 13, 2023, Union Electric Company d/b/a Ameren Missouri filed an application with the Commission seeking a certificate of convenience and necessity (CCN) to construct, install, own, operate, maintain, and otherwise control a 345 kV switchyard and associated facilities in Callaway County, Missouri (referred to as the "Burns Switchyard" or "the Project"). In addition, Ameren Missouri requested a waiver of the 60-day notice requirement contained in Commission Rule 20 CSR 4240-4.017.

Ameren Missouri, the Midcontinent Independent System Operator, Inc. (MISO), and Show Me State Solar, LLC ("Show Me State Solar") entered into a Generator Interconnection Agreement (GIA) which will facilitate the interconnection of a 250 megawatt (MW) solar generation facility in Callaway County, Missouri. The 250 MW solar facility will be owned and operated by Show Me State Solar and is not subject to this CCN request.

To facilitate the Show Me State Solar interconnection request, Ameren Missouri will construct the Burns Switchyard. The Burns Switchyard will be constructed initially as a ring bus configuration with three-line terminal positions and will be expandable to accommodate three additional future terminal positions, should they be required. The proposed project will sit on an approximately 14-acre property. Show Me State Solar has obtained option contracts to acquire the land via two parcels. Upon closing, Show Me State Solar will combine the parcels and convey them to Ameren Missouri.

The Commission directed notice and established an intervention deadline. The Commission received no applications to intervene.

On May 1, 2023, the Staff of the Commission (Staff) filed their *Staff Recommendation*. Staff recommended the Commission grant Ameren Missouri a CCN for the Project, subject to five conditions. On May 11, 2023, Ameren Missouri filed a *Response to Staff Recommendation* in which it stated that it had no objection to most of Staff's recommended conditions but questioned the language of one condition and need for another condition.

Staff and Ameren Missouri had discussions that resulted in Staff agreeing to modify one of the conditions in its May 1st *Staff Recommendation* and eliminating another condition.

The Commission may grant an electric corporation a CCN after determining that the construction and operation are either "necessary or convenient for the public service."¹ The Commission articulated criteria to be used when evaluating applications for utility certificates of convenience and necessity

¹ Section 393.170.3, RSMo.

These criteria have been referred to as the “Tartan Factors” or the “Tartan Energy Criteria.” Those factors are: (1) there must be a need for the service; (2) the applicant must be qualified to provide the proposed service; (3) the applicant must have the financial ability to provide the service; (4) the applicant's proposal must be economically feasible; and (5) the service must promote the public interest.²

In its recommendation, Staff stated there is a need for the service, as the Project provides the transmission facilities necessary, under MISO’s Generation Interconnection Procedure, for interconnection of the Show Me State Solar project. In addition, the requested CCN is consistent with Ameren Missouri’s current Preferred Resource Plan.

Staff also stated Ameren Missouri is qualified to provide the service. Ameren Missouri has been in business for over 100 years and has been granted CCNs by Commission for many projects in the past. Ameren Missouri owns and operates a 2,970-mile transmission system that operates at voltages from 345 kV to 138 kV.³ Ameren Missouri is an affiliate of Ameren Corp., and has access to Ameren Services, which also provides expertise to Ameren Transmission Company of Illinois. Therefore, Staff concluded Ameren Missouri is qualified to construct, install, own, operate, maintain, and otherwise control and manage the Project.

Ameren Missouri will initially fund the Project using funds from its treasury. Staff noted the proposed cost of the Project is less than 1% of Ameren Missouri’s capital expenditures through 2023. Thus, Staff concluded Ameren Missouri has the financial ability to construct, operate, and maintain the Project.

² See Report and Order, *In re Application of Tartan Energy Company, L.C., d/b/a Southern Missouri Gas Company, for a Certificate of Convenience and Necessity*, Case No. GA-94-127, 3 Mo. P.S.C. 3d 173 (September 16, 1994).

³ Ameren Missouri 2020 IRP Chapter 7, p. 2.

Staff stated that Ameren Missouri has a reasonable opportunity to recover the costs of the Project. Ameren Missouri will collect 90% of its transmission revenue requirement for the actual cost of the Burns Switchyard (\$9.942 million) and the other identified network upgrades (approximately \$1.1 million) from Show Me State Solar, and the remaining 10% will be allocated to the MISO Ameren Missouri Pricing Zone. Therefore, Staff concluded that the Project is economically feasible.

Staff concluded the Project is not detrimental to the public interest based upon satisfaction of the first four Tartan factors and as subject to the conditions recommended by Staff. Staff maintained that the Project promotes the public interest, due to the relationship of the Project to the interconnection of a solar project sited in Callaway County, Missouri and the location of the Project on land held by the involved parties.

The Commission has reviewed the application for the Project and the *Staff Recommendation*, and Staff's recommended conditions. The Commission concludes the factors for granting a certificate of convenience and necessity have been satisfied. Thus, the Commission will grant Ameren Missouri a CCN to construct, install, own, operate, maintain, and otherwise control a 345 kV switchyard and associated facilities in Callaway County, Missouri (the Burns Switchyard).

Ameren Missouri also sought a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017(1). Ameren Missouri certified that it had no communication with the Office of the Commission regarding any substantive issue likely to be in this case during the 150 days prior to the filing of their application. The Commission finds that Ameren Missouri has demonstrated good cause for the waiver of the 60-day notice requirement.

THE COMMISSION ORDERS THAT:

1. Ameren Missouri is granted a certificate of convenience and necessity to construct, install, own, operate, maintain, and otherwise control a 345 kV switchyard and associated facilities in Callaway County, Missouri, which has been referred to as the Burns Switchyard, subject to the following conditions:

- a. Ameren Missouri shall provide copies to Staff of final engineering drawings of the Burns Switchyard project and all connections when available.
- b. Ameren Missouri shall provide copies of all county and city permits or approvals necessary to complete the Burns Switchyard project, when available.
- c. Ameren Missouri shall implement landowner and land management policies consistent with what the Commission ordered in the Mark Twain Project, File No. EA-2017-0345, as Schedule DJB-02, Exhibit C of the Unanimous Stipulation and Agreement (attached to this Order as Attachment A), to be developed in cooperation with Staff.
- d. Until such time as initial interconnections to the three open positions included in the Burns Switchyard are made, Ameren Missouri shall provide notice and copies to Staff of any contract or agreement arising from those interconnections.

2. Ameren Missouri is granted a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017(1).

3. This order shall become effective on July 28, 2023.



BY THE COMMISSION

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

Nancy Dippell
Secretary

Rupp, Chm., Coleman, Holsman, Kolkmeier
and Hahn CC., concur.

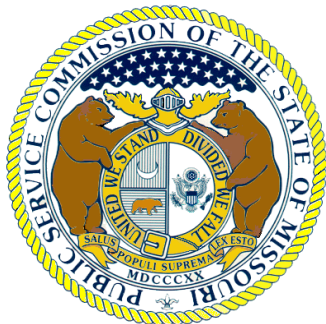
Seyer, Regulatory Law Judge

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 28th day of June, 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

June 28, 2023

File/Case No. EA-2023-0226

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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.