

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

In the Matter of Union Electric Company d/b/a     ) **Case No. ER-2019-0335**  
Ameren Missouri's Tariffs to Decrease Its         )  
Revenues for Electric Service.                     )

**STAFF STATEMENT OF DISCOVERY DISAGREEMENT OR CONCERN**

**COMES NOW** Staff of the Missouri Public Service Commission ("Staff") and for its Statement of Discovery Disagreement or Concern ("Statement") states as follows:

1. On August 15, 2019, the Commission issued an Order Setting Test Year and Adopting Procedural Schedule ("Order"). The Order set a Discovery Conference for October 16, 2019.

2. The Order also provided in paragraph 3(K) that:

Not less than two business days before each discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement or concern must attend. If the parties do not identify any discovery disagreements or concerns before the scheduled conference, the presiding officer may cancel the conference.

3. Staff is filing this Statement to identify certain discovery disagreements or concerns regarding Union Electric Company d/b/a Ameren Missouri's ("Ameren Missouri") responses to certain discovery requests submitted by Staff.

For example:

(a) response to DR 309 is simply overdue without objection or requested extension (see attached DR);

(b) regarding DRs 318 and 329 (attached), Ameren Missouri has objected (attached) to providing invoices as requested and instead has merely provided spreadsheets showing the transactions; Staff needs the invoices requested to verify the dates and dollar amounts of the transactions and perform its own calculation to see if Ameren Missouri's expense lag proposals are appropriate;

(c) at the last discovery conference held in this case on September 19, 2019, Ameren Missouri was either ordered to provide responses or agreed to provide responses to DRs 17 and 168 (attached); however, it does not appear that the responses which have been provided to date are complete responses.

**WHEREFORE**, Staff submits this Statement of Discovery Disagreement or Concern in advance of the Discovery Conference scheduled for October 16, 2019.

Respectfully submitted,

**/s/ Jeffrey A. Keevil**

Jeffrey A. Keevil  
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Missouri Bar No. 33825  
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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record this 11th day of October, 2019.

**/s/ Jeffrey A. Keevil**

**Missouri Public Service Commission****Data Request**

**Data Request No.** 0309  
**Company Name** Union Electric Company-Investor(Electric)  
**Case/Tracking No.** ER-2019-0335  
**Date Requested** 9/18/2019  
**Issue** Expense - A&G - Pension & OPEB  
**Requested From** Geri Best  
**Requested By** Jeff Keevil  
**Brief Description** Actual Non-Qualified Benefit Payments by Plan Year

**Description** 1. Please provide the actual nonqualified pension benefit payments (cash payouts) made by Ameren Missouri for the plan year 2017, 2018 and 2019. Provide the quantification of these amounts for Ameren Missouri electric on a separate basis from gas. Provide all allocation methodology used to determine these amounts. 2. Please provide the same information for the non-qualified pension benefit payments that were allocated to Ameren Missouri electric and gas from Ameren Services. Provide the quantification of these amounts for Ameren Missouri electric on a separate basis from gas. Provide all allocation methodology used to determine these amounts. DR requested by Antonija Nieto (Antonija.nieto@psc.mo.gov).  
**Due Date** 10/8/2019

The attached information provided to Missouri Public Service Commission Staff in response to the above data information request is accurate and complete, and contains no material misrepresentations or omissions, based upon present facts of which the undersigned has knowledge, information or belief. The undersigned agrees to immediately inform the Missouri Public Service Commission Staff if, during the pendency of Case No. ER-2019-0335 before the Commission, any matters are discovered which would materially affect the accuracy or completeness of the attached information.

If these data are voluminous, please (1) identify the relevant documents and their location (2) make arrangements with requestor to have documents available for inspection in the Union Electric Company-Investor(Electric) office, or other location mutually agreeable. Where identification of a document is requested, briefly describe the document (e.g. book, letter, memorandum, report) and state the following information as applicable for the particular document: name, title number, author, date of publication and publisher, addresses, date written, and the name and address of the person (s) having possession of the document. As used in this data request the term "document(s)" includes publication of any format, workpapers, letters, memoranda, notes, reports, analyses, computer analyses, test results, studies or data, recordings, transcriptions and printed, typed or written materials of every kind in your possession, custody or control or within your knowledge. The pronoun "you" or "your" refers to Union Electric Company-Investor(Electric) and its employees, contractors, agents or others employed by or acting in its behalf.

**Security** Public  
**Rationale** NA

**Missouri Public Service Commission****Data Request**

<b>Data Request No.</b>	0318
<b>Company Name</b>	Union Electric Company-Investor(Electric)
<b>Case/Tracking No.</b>	ER-2019-0335
<b>Date Requested</b>	9/18/2019
<b>Issue</b>	Rate Base - Cash Working Capital
<b>Requested From</b>	Geri Best
<b>Requested By</b>	Jeff Keevil
<b>Brief Description</b>	Oil Shipments Received and Payment Dates
<b>Description</b>	1) For the test year ending on December 31, 2018, please provide all invoices and proof of payment for oil shipments. Requested by: Jeremy Juliette (Jeremy.juliette@psc.mo.gov)
<b>Due Date</b>	10/8/2019

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<b>Security</b>	Public
<b>Rationale</b>	NA

**Missouri Public Service Commission****Data Request**

**Data Request No.** 0329  
**Company Name** Union Electric Company-Investor(Electric)  
**Case/Tracking No.** ER-2019-0335  
**Date Requested** 9/24/2019  
**Issue** Rate Base - Cash Working Capital  
**Requested From** Geri Best  
**Requested By** Jeff Keevil  
**Brief Description** Coal Shipments Received and Payment Dates

**Description** 1) For the test year ending December 31, 2018, please provide the sample of invoices and proof of payment regarding coal shipments referenced in the attached spreadsheet. Requested by: Jeremy Juliette (Jeremy.juliette@psc.mo.gov)  
**Due Date** 10/14/2019

The attached information provided to Missouri Public Service Commission Staff in response to the above data information request is accurate and complete, and contains no material misrepresentations or omissions, based upon present facts of which the undersigned has knowledge, information or belief. The undersigned agrees to immediately inform the Missouri Public Service Commission Staff if, during the pendency of Case No. ER-2019-0335 before the Commission, any matters are discovered which would materially affect the accuracy or completeness of the attached information.

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**Security** Public  
**Rationale** NA

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LEGAL NURSE CONSULTANT  
JENNY BECKETT, RN

September 30, 2019

Mr. Jeff Keevil  
Deputy Staff Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Re: File No. ER-2019-0335 – Staff DR Nos. 318, 320, 329 and 140.1 – 140.5

Dear Jeff:

The Company objects to DR Nos. 318 and 329 because they seek information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence and are overbroad and unduly burdensome in that they would necessitate the manual retrieval of invoice and payment documentation for more than 600 separate invoices. Subject to the foregoing objections, the Company will provide responses providing a similar level of detail as was provided in response to similar DRs sent in previous rate cases.

The Company objects to DR No. 320 because it is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, is overbroad and unduly burdensome, is vague, and seeks to require the Company to perform analyses rather than seeking the discovery of existing facts, documents, or information and is thus beyond the scope of discovery. Subject to the foregoing objections, the Company will provide a response to the extent reasonably possible.

Given the scope and details requested and the number of individual items that are the subject of these requests, the Company will require an additional two weeks, to October 28, 2019, to response to DR Nos. 140.1 through 140.5.

Sincerely,

*/s/ James B. Lowery*

James B. Lowery

Cc: Geri Best, Carolyn Mora, Yvette Scott, Wendy Tatro

**Missouri Public Service Commission****Data Request**

<b>Data Request No.</b>	0017
<b>Company Name</b>	Union Electric Company-Investor(Electric)
<b>Case/Tracking No.</b>	ER-2019-0335
<b>Date Requested</b>	7/8/2019
<b>Issue</b>	General Information & Miscellaneous - Other General Info & Misc.
<b>Requested From</b>	Geri Best
<b>Requested By</b>	Jeff Keevil
<b>Brief Description</b>	Calendars/Itineraries
<b>Description</b>	1) For the twelve months ending December 31, 2018, please provide all appointment calendars, appointment books, itineraries, agendas, etc. as maintained by each individual listed below on a daily basis. These items may be kept in paper form, Outlook or other computer program or any other means. Please provide this information for Warner Baxter, Warren Wood, Michael Moehn, Martin Lyons, Tom Byrne, Laura Moore, Gaye Suggett, and any other executive who charged time to work on legislative efforts (SB 564 for example). 2) For all individuals included in the response to part 1 above, please provide all time keeping entries and time sheets separately by month depicting all time charged below the line for lobbying related activities that occurred in the test year ending December 31, 2018. Data Request submitted by John Cassidy (John.cassidy@psc.mo.gov).
<b>Due Date</b>	7/28/2019

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<b>Security</b>	Public
<b>Rationale</b>	NA



**Missouri Public Service Commission****Data Request**

<b>Data Request No.</b>	0168
<b>Company Name</b>	Union Electric Company-Investor(Electric)
<b>Case/Tracking No.</b>	ER-2019-0335
<b>Date Requested</b>	7/16/2019
<b>Issue</b>	Expense - Dues and Donations
<b>Requested From</b>	Geri Best
<b>Requested By</b>	Jeff Keevil
<b>Brief Description</b>	Utility Air Regulatory Group (UARG)

**Description**

1. Please provide a complete copy of all of Ameren's responses to a letter that was received from the Congress of the United States House of Representatives, Committee on Energy and Commerce, dated April 11, 2019, seeking answers to specific questions and specific copies of documents and communication by a due date of April 25, 2019. Provide copies of all return correspondence, answers to questions and a copy of all documentation and communication provided in response to this letter of inquiry. 2. Please indicate if Ameren has made a final decision whether it would stay in Utility Air Regulatory Group (UARG) or decide to leave the UARG. If no decision has been made yet, please provide an update for any final decision reached through December 31, 2019. DR submitted by John Cassidy (John.cassidy@psc.mo.gov).

**Due Date** 8/5/2019

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