

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 25<sup>th</sup> day of July, 2019.

In the Matter of Union Electric Company d/b/a )  
Ameren Missouri's Tariffs to Decrease Its ) **File No. ER-2019-0335**  
Revenues for Electric Service ) **Tariff No. YE-2020-0001**

**NOTICE OF CONTESTED CASE AND  
ORDER SUSPENDING TARIFF AND DELEGATING AUTHORITY**

Issue Date: July 25, 2019

Effective Date: July 25, 2019

The Missouri Public Service Commission is suspending Union Electric Company, d/b/a Ameren Missouri's (Ameren Missouri) tariff sheets, giving notice of a contested case, and delegating authority. Ameren Missouri filed its tariff sheets on July 3, 2019, seeking to decrease its base gross annual electric revenues by approximately \$0.8 million. The tariff bears an effective date of August 2, 2019.

A. Suspension of Tariff

Several parties have requested and been granted intervention and the Commission held a procedural conference on July 24, 2019. Given the number of parties involved and the discussions at the procedural conference, the tariff effective date allows insufficient time for the Commission to determine whether the tariff is just and reasonable, as the law requires,<sup>1</sup> so the Commission will suspend the tariff.<sup>2</sup>

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<sup>1</sup> Section 393.190.1, RSMo 2016.

<sup>2</sup> Section 393.150, RSMo 2016.

The Commission may suspend a tariff for 120 days beyond the tariff's effective date.<sup>3</sup> If that period is not enough time to conclude a full hearing on the tariff's propriety, the Commission may extend the suspension for a further six months.<sup>4</sup> Although the tariff effective date is August 2, 2019, Ameren Missouri requests that the new rates not become effective until at least April 1, 2020.<sup>5</sup> Additionally, the Commission's experience demonstrates that it cannot conclude a full hearing on the tariff's propriety in 120 days, so the Commission will order a six month extension of the suspension.

#### B. Notice of Contested Case

Suspension of the tariff may occur only pending a "full" hearing and decision on the tariff's propriety.<sup>6</sup> The provision for a full pre-decision hearing signifies that this action is now a "contested case."<sup>7</sup> A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities<sup>8</sup> and a decision without a hearing,<sup>9</sup> including by stipulation and agreement.<sup>9</sup> This order and notice does not require any party to file an answer. The Commission's discovery regulations may be found at Commission regulation 4 CSR 240-2.090.

#### C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.<sup>10</sup> To ensure that all discovery disputes are ruled

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<sup>3</sup> Section 393.150.1, RSMo 2016.

<sup>4</sup> Section 393.150.2, RSMo 2016.

<sup>5</sup> *Application*, (filed July 3, 2019), p. 5.

<sup>6</sup> Section 393.150.1, RSMo 2016.

<sup>7</sup> Section 536.010(4), RSMo 2016.

<sup>8</sup> Section 536.060(3), RSMo 2016.

<sup>9</sup> 4 CSR 240-2.115.

<sup>10</sup> Section 386.240, RSMo 2016.

upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery. The Commission will set forth further provisions for discovery by separate order when setting a full procedural schedule.

**THE COMMISSION ORDERS THAT:**

1. The tariff assigned Tracking No. YE-2020-0001 is suspended from August 2, 2019, for 120 days, plus six months, to May 30, 2020.
2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel, and may make any such ruling at a discovery conference.
3. This order is effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff  
Secretary

Silvey, Chm., Kenney, Hall, Rupp, and  
Coleman, CC., concur.

Dippell, Senior Regulatory Law Judge