

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone and internet audio conference on the 7<sup>th</sup> day of April, 2021.

In the Matter of Union Electric Company	)	
d/b/a Ameren Missouri's Tariffs to Adjust	)	<b><u>File No. ER-2021-0240</u></b>
its Revenues for Electric Service	)	Tracking No. YE-2021-0175

**ORDER SUSPENDING TARIFF, GIVING NOTICE OF CONTESTED CASE STATUS, DELEGATING AUTHORITY, AND SCHEDULING AN EVIDENTIARY HEARING**

Issue Date: April 7, 2021

Effective Date: April 7, 2021

Union Electric Company d/b/a Ameren Missouri submitted tariff sheets on March 31, 2021 to produce a net increase in its electric base rates of approximately \$299 million. The proposed tariff sheets have an effective date of April 30, 2021.

A. Suspension of Tariff

Section 393.150 RSMo (2016), authorizes the Commission to suspend the effective date of proposed tariff sheets for 120 days, plus an additional six months to allow for a hearing. To provide sufficient time to determine if Ameren Missouri's proposed tariff sheets are just and reasonable,<sup>1</sup> the Commission will suspend the tariff sheets for 120 days beyond their effective date. The Commission's experience demonstrates that a full hearing cannot be concluded within 120 days, so the Commission will suspend the tariff sheets for an additional six months.<sup>2</sup>

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<sup>1</sup> Section 393.140(5) RSMo. Unless otherwise noted, all statutory references are to the Revised Statutes of Missouri as codified in 2016.

<sup>2</sup> Section 393.150.2 RSMo.

## B. Notice of Contested Case

Suspension of the tariff may occur only pending a “full” hearing and decision on the tariff’s propriety.<sup>3</sup> The provision for a full pre-decision hearing signifies that this action is now a “contested case.”<sup>4</sup> A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,<sup>5</sup> including by stipulation and agreement.<sup>6</sup> This order and notice does not require any party to file an answer. The Commission’s discovery regulations may be found at 20 CSR 4240-2.090.

## C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.<sup>7</sup> To ensure that all discovery disputes are ruled 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 proposed tariff sheets, filed under Tracking No. YE-2021-0175, by Ameren Missouri, are suspended for 120 days from April 30, 2021 to August 28, 2021, plus six months thereafter, until February 28, 2022.

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

<sup>4</sup> Section 536.010(4) RSMo.

<sup>5</sup> Section 536.060 RSMo.

<sup>6</sup> 20 CSR 4240-2.115.

<sup>7</sup> Section 386.240 RSMo.

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. The evidentiary hearing is scheduled for October 12 through 15, and October 18 through 22, 2021.

4. Each conference and hearing shall be held via WebEx teleconference.<sup>8</sup> If any person needs an accommodation to participate in any conference or hearing, please call the Missouri Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711.

5. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

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

Woodruff, Chief Regulatory Law Judge

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<sup>8</sup> As the impact of COVID-19 during the hearing process is unknown, hearings may be changed to in-person by request of the parties or by the Commission on its own motion.