

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

In the Matter of Union Electric Company )  
d/b/a Ameren Missouri's Request for a Variance ) **File No. EE-2022-0074**  
Regarding its Renewable Energy Standard Compliance )

**STAFF'S RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through the undersigned, and for its *Staff Recommendation* states as follows:

1. On September 9, 2021, Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") filed its *Request for Variance and Waiver from 60-Day Notice Requirement*, requesting a variance from 20 CSR 4240-20.100(3)(J) and a waiver of the 60-day notice requirement in 20 CSR 4240-4.017(1). Ameren Missouri requests a variance from the requirement to retire 90% of renewable energy credits (REC) within the compliance year the RECs are being used for, and no more than 10% of RECs for a compliance year can be retired in the following year by April 15<sup>th</sup>. Ameren Missouri alleges that it does not know the total sale figure upon which the numbers of RECs to retire is derived from, until the year after the compliance year in question. Ameren Missouri claims allowing the variance means Ameren Missouri would not have to purchase RECs it may not need.

2. Based on its review, as detailed in the attached memoranda, Staff recommends the Commission grant a variance from 20 CSR 4240-20.100(3)(J) for only the 2021 compliance year, due to extenuating circumstances with Ameren Missouri's High Prairie Wind Farm, and a waiver of the 60-day notice requirement in 20 CSR 4240-4.017(1). Going forward, Staff recommends the Commission order Ameren Missouri to implement a system to aid them in ensuring compliance with 20 CSR 4240-20.100(3)(J)

for future compliance years. Staff does not recommend approval of variances for future years as each year as part of Ameren Missouri's compliance with RES rules, Ameren Missouri is required to submit its RRI calculation and its REC balance looking forward ten years. Ameren Missouri already has the information needed in order to plan ahead to achieve compliance in the future.

**WHEREFORE**, Staff recommends the Commission grant Ameren Missouri's request for a variance from 20 CSR 4240-20.100(3)(J), only for compliance year 2021, and that good cause exists for a waiver of the 60-day notice requirement in 20 CSR 4240-4.017(1).

Respectfully submitted,

**/s/ Nicole Mers**

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 21<sup>st</sup> day of October 2021, to all counsel of record.

**/s/ Nicole Mers**