

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 9th day of November, 2022.

In the Matter of Union Electric Company d/b/a)
Ameren Missouri's Request for a Variance from) **File No. EE-2023-0021**
Certain Provisions of 20 CSR 4240 Chapter 22)
Regarding Electric Utility Resource Planning)

ORDER GRANTING VARIANCES

Issue Date: November 9, 2022

Effective Date: December 9, 2022

On September 27, 2022, Union Electric Company d/b/a Ameren Missouri filed a Request for Variance, asking the Commission to grant it variances from certain requirements of the Commission's integrated resource planning rule - 20 CSR 4240-22 – for its next triennial IRP filing, which is to be filed by October 1, 2023. Specifically, Ameren Missouri seeks a variance from certain provisions of Commission Rules 20 CSR 4240-22.040, 22.045, 22.060, and 22.080.

The Commission issued notice of the application and set the time for filing requests to intervene, responses to the application, and a Staff recommendation. Sierra Club's application to intervene was granted on October 25, 2022. The Staff of the Commission indicated it does not object to the requested variances in a filing made on November 3, 2022. No other responses have been filed.

The Commission has authority to grant a variance from these rules under the provisions of Commission Rule 20 CSR 4240-22.080(13). Additionally, because no party

objects to the application and no hearing request has been made, no evidentiary hearing is required.¹

The Commission finds good cause to grant variances from the requested portions of the rule and will grant Ameren Missouri's request.

THE COMMISSION ORDERS THAT:

1. Union Electric Company, d/b/a Ameren Missouri's Request for Variance filed on September 27, 2022 is granted.

2. The specific variances granted are as follows:

- a. In place of the requirements of 20 CSR 4240-22.040(3)(A), Ameren Missouri shall provide generic assessments of transmission interconnection constraints and costs or, for more site-specific resources, transmission interconnection constraints and cost estimates from its Transmission Planning group to provide an adequate foundation of basic information for decisions to include, but not be limited to the following:
 - (1) Joint participation in generation construction projects;
 - (2) Construction of wholly-owned generation or transmission facilities;
 - (3) Participation in major refurbishment, upgrading or retrofitting of existing generation or transmission resources;
 - (4) Improvements on its transmission and distribution system to increase efficiency and reduce power losses;
 - (5) Acquisition of existing generating facilities; and
 - (6) Opportunities for new long-term power purchases and sales, and short-term power purchases that may be required for bridging the gap between other supply options, both firm and nonfirm, that are likely to be available over all or part of the planning horizon;
- b. In place of the requirements of 20 CSR 4240-22.045(1)(B), Ameren Missouri shall use this alternative: Interconnect new generation facilities. Ameren Missouri shall provide generic assessment of transmission interconnection needs and costs or, for more site-specific resources, transmission need and cost estimates from its Transmission Planning group and shall reflect those transmission facilities in the cost benefit analyses of the resource options;
- c. In place of the requirements of 20 CSR 4240-22.045(3)(C), Ameren Missouri shall provide a web link to the RTO expansion plans, its

¹ *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494 (Mo. App. 1989).

assessment of the plans, and any supplemental information developed by the utility to fulfill the requirements in subsection (3)(B) of this rule;

- d. In place of the requirements of 20 CSR 4240-22.060(5)(E), Ameren Missouri shall use this alternative: Total project cost (including siting, permitting and construction costs) for new generation and generation-related transmission facilities;
- e. In place of the requirements of 20 CSR 4240-22.060(5)(F), Ameren Missouri shall use this alternative: Total project schedules (including siting, permitting and construction schedules) for new generation and generation-related transmission facilities;
- f. In place of the requirements of 20 CSR 4240-22.060(5)(K), Ameren Missouri shall use this alternative: Future load impacts and marketing and delivery costs of demand-side programs and demand-side rates if the costs and impacts are determined to be highly correlated. Future load impacts of demand-side programs and demand-side rates if the costs and impacts are determined to not be highly correlated;
- g. In place of the requirements of 20 CSR 4240-22.060(5)(L), Ameren Missouri shall use this alternative: Future load impacts and marketing and delivery costs of demand-side programs and demand-side rates if the costs and impacts are determined to be highly correlated. Utility marketing and delivery costs for demand-side programs and demand-side rates if the costs and impacts are determined to not be highly correlated;
- h. In place of the requirements of 20 CSR 4240-22.060(7), Ameren Missouri shall use this alternative: The utility decision-makers shall assign a probability pursuant to section (5) of this rule to each uncertain factor deemed critical by the utility. The utility shall compute the cumulative probability distribution of the values of "present value revenue requirements" performance measure for each alternative resource plan. For each of the other performance measures specified in 20 CSR 4240-22.060(2)(A)1-6 and for any additional measures chosen by the utility pursuant to 20 CSR 4240-22.060(2)(A)7, Ameren Missouri will compute a cumulative probability distribution of its values if inspection of the summary tabulation required by 20 CSR 4240-22.060(4)(A) indicates that the rankings of alternative plans by this performance measure substantially differs from the rankings based on present value revenue requirements. Both the expected performance and the risks of each alternative resource plan shall be quantified. The utility shall describe and document its risk assessment of each alternative resource plan;

- i. In place of the requirements of 20 CSR 4240-22.080(2)(C)2, Ameren Missouri shall use this alternative: The technical volume(s) shall be organized in a logical manner but not necessarily as the chapters corresponding to 20 CSR 4240-22.030 – 20 CSR 4240-22.070. Rule references will be provided as footnotes and cross-referenced in a table organized according to the Chapter 22 rules to make it easy for stakeholders to assess compliance; and
 - j. In place of the requirements of 20 CSR 4240-22.080(5)(A), Ameren Missouri shall use this alternative: The utility shall convene at least one (1) meeting of the stakeholder group prior to the triennial compliance plan filing to present a draft of the triennial compliance filing corresponding to 20 CSR 4240-22.030 – 20 CSR 4240-22.050 and to present an overview of its proposed alternative resource plans and intended procedures and analyses to meet the requirements of 20 CSR 4240-22.060 and 20 CSR 4240-22.070. The DSM Potential Study will serve as the draft chapter for 20 CSR 4240-22.050. The stakeholders shall make a good faith effort to provide comments on the information provided by the utility, to identify additional resource plans, and to identify where the utility’s analysis and intended approaches may not meet the objectives of the rules.
3. This order shall become effective on December 9, 2022.
 4. This file shall be closed on December 10, 2022.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Holsman, and
Kolkmeier CC., concur.
Coleman, C., absent.

Woodruff, Chief 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 9th day of November, 2022.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 9, 2022

File/Case No. EE-2023-0021

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@opc.mo.gov

**Missouri Public Service
Commission**

Eric Vandergriff
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Eric.Vandergriff@psc.mo.gov

Sierra Club

Bruce A Morrison
319 North Fourth Street
Suite 800
St. Louis, MO 63102
bamorrison@greatriverslaw.org

Sierra Club

Sarah W Rubenstein
319 N. 4th Street, Suite 800
St. Louis, MO 63102
srubenstein@greatriverslaw.org

Union Electric Company

Wendy Tatro
1901 Chouteau Ave
St. Louis, MO 63103-6149
AmerenMOService@ameren.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
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.