

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

In the Matter of the Compliance of Union Electric            )  
Company d/b/a Ameren Missouri with Certain                )  
Requirements Related to SB 564 and Related                )  
Matters    )        Case No. EO-2019-0044

**APPLICATION TO INTERVENE OF  
THE MISSOURI INDUSTRIAL ENERGY CONSUMERS  
AND MOTION FOR EXPEDITED TREATMENT**

Comes now the Missouri Industrial Energy Consumers (“MIEC”) and, pursuant to 4 C.S.R. 240-2.075, files its application to intervene. For its application, the MIEC states as follows:

1. The MIEC is a Missouri nonprofit corporation that represents the interests of industrial customers in matters involving utility issues. Those interests include the interests of large industrial customers of Ameren Missouri ("Ameren").
2. As a representative of the interests of large industrial customers of Ameren, the MIEC’s interest is different than that of the general public and may be adversely affected by actions taken as a result of filings and decisions in this case.
3. The MIEC does not yet have a position on the issues in this case and reserves the right to take positions on specific issues as this case proceeds.
4. The MIEC’s intervention will serve the public interest by assisting the Commission’s record for decision in this case.
5. No party will be prejudiced by MIEC’s intervention.

6. On February 14, 2019, Ameren filed its five year capital investment plan as required by Section 393.1400.4 RSMo. Much of the information in the plan was filed as Highly Confidential under Commission Rule 4 CSR 240-2.135(2). Section 393.1400.4 has certain minimum and maximum investments levels in particular categories. It also has an implicit requirement that the “replacing, modernizing, and securing [of] infrastructure” goals of the plan be accomplished in a manner consistent with the public interest. In order to be able to adequately evaluate the five year capital investment plan, the MIEC needs to be made a party to this case so that it can have access to the information Ameren has designated as Highly Confidential.

7. Section 393.1400.4 requires Ameren, within thirty days of its filing, to have a public meeting to receive feedback about the plan. There is no requirement in the statute beyond that single public meeting for Ameren to accept feedback about the plan. Ameren has scheduled its public meeting for March 4, 2019.

8. MIEC requests expedited treatment of this application to intervene under Commission Rule 4 CSR 240-2.080(14). Pursuant to 4 CSR 240-2.080(14)(A), MIEC requests that the Commission issue its order granting intervention no later than February 26, 2019 so that the MIEC will be able to access and begin to analyze the Highly Confidential information in time to provide some feedback at the March 4 public meeting.<sup>1</sup> Pursuant to 4 CSR 240-2.080(14)(B), MIEC states that the harm that will be avoided is that the MIEC will avoid a situation wherein it misses the single opportunity afforded by statute to provide meaningful feedback on the five year capital investment plan, and the benefit that will accrue is that the MIEC will have a better

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<sup>1</sup> Even under the expedited time frame requested herein, the amount of time to analyze the Highly Confidential information will be quite short, and may not allow for a complete response.

opportunity to provide such feedback after at least a brief review of the Highly Confidential details of the plan. Further pursuant to 4 CSR 240-2.080(14)(B), MIEC states that there will be no harm to the party's customers or the general public if the Commission grants expedited treatment. Pursuant to 4 CSR 240-2.080(14)(C), MIEC states that this application to intervene was filed as soon as it could have been. MIEC notes that because the Commission Staff and the Office of the Public Counsel are the only parties to this case besides Ameren, MIEC did not receive notice of the filing, and only became aware of it after reviewing the Commission's February 20 public meeting Agenda. Nonetheless, this application to intervene is filed only four business days after the filing of the five year capital investment plan.

WHEREFORE, the MIEC requests that it be permitted to intervene and be made a party to this case for all purposes, and that the Commission set a deadline for responses to this motion such that the Commission can grant intervention effective no later than February 26.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 21st day of February, 2019, to all parties on the Commission's service list in this case.

/s/ Lewis Mills