

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

In the Matter of Union Electric Company d/b/a Ameren)
Missouri’s Tariffs to Increase Its Revenues for) File No. ER-2016-0179
Electric Service.)

**NON-UNANIMOUS STIPULATION AND AGREEMENT REGARDING COST
ALLOCATION MANUAL AND AFFILIATE TRANSACTIONS**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), the Staff of the Missouri Public Service Commission (the “Staff”) and the Office of the Public Counsel (“OPC”), and hereby submit this non-unanimous stipulation and agreement (the “CAM Stipulation”), as follows:

1. In the Company’s last general rate case, File No. ER-2014-0258, several parties, including the Company, the Staff and OPC, executed an *Amended Non-unanimous Stipulation and Agreement Regarding Certain Revenue Requirement Issues* (“0258 Stipulation”) which, among other things, called for the Company to seek approval of a Cost Allocation Manual (“CAM”) in its next electric general rate proceeding; i.e., in this case. The Commission approved the 0258 Stipulation by order dated March 19, 2015. The 0258 Stipulation also reflected the Company’s agreement to annually submit certain data regarding costs allocated by Ameren Service Company (“AMS”), by month. See ¶2 of the 0258 Stipulation regarding both the CAM filing and the data submissions. Both the CAM filing and the data submissions pertain to the Company’s obligations under the Commission’s Affiliate Transactions Rule, 4 CSR 240-20.015 (the “AT Rule”). As stipulated, the Company has submitted the agreed-upon data and filed a CAM for approval in this case.¹

¹ The Company filed the agreed-upon data for calendar year 2015 (by month) and starting with the first quarter of 2016 has been filing the data on a quarterly basis, also by month. Unless otherwise ordered by the Commission, the Company will continue to provide the agreed-upon data on a quarterly basis, by month.

2. This is the first case in which any substantive attention has been given to the content and details of the Company's CAM, which was previously submitted in EFIS on an annual basis but which had not been the subject of a case in front of the Commission. The Company, the Staff and OPC have discussed whether this rate case is the most appropriate venue for addressing any Ameren Missouri CAM-related or AT Rule related issues, in particular because such issues have not previously been addressed in any case or been the subject of substantive discussions among the signatories and there are many other matters being reviewed and addressed within the statutory time constraints of this rate case. Further, although the Staff and OPC have engaged in the drafting of CAMs with other major utilities in the state, the corporate structure of Ameren Missouri/Ameren Corporation is unique compared to other utilities and the drafting of CAMs should incorporate Ameren Missouri/Ameren Corporation's unique corporate structure. The signatories have agreed that they would benefit, as would the Commission, from a series of technical conferences among the signatories (or other interested parties) that may produce agreement or partial agreement on the terms of a CAM and on other matters that may pertain to ongoing AT Rule compliance. The signatories have further agreed that because there is limited time available to have such conferences and to work on such matters in the context of this rate case, the public interest would be served by removing the CAM and any AT Rule issues from this rate case so that they can be addressed in a separate docket, as discussed further below. The signatories note that there have been ongoing discussions with most of the other major utilities in the state about such issues, and that those discussions did not take place in the context of a rate case. *See, e.g.*, File No. EO-2014-0189 (KCP&L - GMO), File No. AO-2012-0062 (Empire) and File No. GO-2012-0322 (Summit).

3. More specifically, the signatories agree as follows:

- a. Ameren Missouri satisfied the 0258 Stipulation's requirement that it file a CAM in its next general rate proceeding when it filed a CAM with its direct filing in this case.
- b. Upon approval of this CAM Stipulation, Ameren Missouri will withdraw the pre-filed direct testimony filed by witnesses Jeff L. Dodd and the direct testimony of Kelly S. Hasenfratz, and will withdraw the request that a CAM be approved in this rate case.
- c. Consideration of CAM approval or of issues, if any, regarding compliance with the AT Rule will not occur in this rate case.
- d. Neither the Staff nor OPC will file a complaint against the Company or provide support for any claim or allegation against the Company on the basis that the Company is or has been non-compliant with the AT Rule because the Company or an affiliate of the Company is or has conducted affiliate transactions without a Commission-approved CAM.
- e. The Company will begin to submit a separate annual CAM for its natural gas operations beginning for calendar year 2016.
- f. The Company agrees to provide its monthly CAM report in the format itemized in the stipulation in File No. ER-2014-0258, and further split by gas and electric utility costs.
- g. Notwithstanding paragraph 3.c above, issues regarding whether the level of joint or common costs are properly allocated among Ameren Missouri and its affiliates, or whether the level of costs allocated to Ameren Missouri is prudent and reasonable, may be raised in this rate case just as any other matter affecting the revenue requirement may be raised.
- h. Staff and OPC believe that the subject titles of the divisions of the CAMs that Staff and OPC produced in the recent CAM cases for Empire, KCP&L and GMO are an

appropriate starting point for Ameren Missouri to obtain a perspective of Staff's and OPC's approaches.

- i. An "AO" (All-Other) docket shall be opened by April 17, 2017 to provide a vehicle for the Commission to consider an Ameren Missouri CAM for approval, and to consider variances (if any) from the AT Rule. The Company agrees that if the allocation of costs among the Company and its affiliates for 2017 would have been different had the final CAM approved in the AO docket been in place on January 1, 2017, the Company will document such cost allocation differences. The Company further agrees that to the extent the test year in its next general rate proceeding filed after the CAM is approved includes a portion of 2017, the revenue requirement in that general rate proceeding will be set using the cost allocations that would have been in place in 2017 had the final CAM approved in the AO docket been in place on January 1, 2017.
- j. The Company agrees that removing the CAM and any AT Rule issues from this rate case and the temporary lack of a docket for the CAM and any AT Rule issues does not preclude the Staff and OPC from submitting CAM and AT Rule data requests to Ameren Missouri and the Commission's rules for data request responses, objections, or need for additional time shall apply to any such Staff or OPC data requests. The following schedule shall apply to the "AO" docket opened by April 17, 2017:

Early Technical Conference Governor Office Bldg. Identification of Areas of Agreement/ Disagreement	April 25, 2017 10:00 a.m.
Ameren Missouri Provides Draft CAM to Parties	May 16, 2017

Other Parties Provide Ameren Missouri Comments On the Draft CAM	June 2, 2017
Second Technical Conference Governor Office Bldg. Identification of Areas of Agreement/ Disagreement	June 16, 2017 10:00 a.m.
Third Technical Conference Governor Office Bldg. Identification of Areas of Agreement/ Disagreement	June 30, 2016 10:00 a.m.
Parties Submit Joint Recommendation Or All Parties Submit Direct Testimony In The Absence of Joint Recommendation	July 21, 2017
Rebuttal Testimony All Parties	August 18, 2017
Surrebuttal Testimony All Parties	September 8, 2017
List of Issues, Order of Issues and Witnesses	September 15, 2017
Evidentiary Hearing	September 26-28, 2017
Initial Post-Hearing Brief All Parties	October 20, 2017
Reply Post-Hearing Brief All Parties	November 3, 2017

k. In order to facilitate the processing of the AO docket to be opened April 17, 2017, the signatories agree that the procedural schedule in that docket should provide that all parties will provide the other parties with copies of workpapers and items/materials referenced in their witness's filed testimony on the day of the filing of direct, rebuttal, and surrebuttal testimony. They also agree that where workpapers (or data request responses) include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.

1. Additionally, the signatories agree that the procedural schedule in that case should provide that the time for data request responses, objections, or need for additional time should be as follows:
 1. For data requests served before the filing of rebuttal testimony, per the Commission's rules;
 2. For data requests served on or after the date rebuttal testimony is due, the response time shall be 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 calendar days will be needed.
- m. The signatories also agree that the following procedural requirements should be included in the procedural schedule for the AO docket to be opened by April 17, 2017:
 1. All parties shall provide copies of testimony (including schedules), exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
 2. Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding Staff-issued data requests, if the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. Data

requests, objections to data requests and notifications respecting the need for additional time to respond to data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party's employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule. In the case of Ameren Missouri data request responses, Ameren Missouri shall post its data request responses on its Caseworks Extranet site; however, in the case of responses to data requests Staff issues to it, Ameren Missouri shall also submit the responses to Staff data requests in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible.

3. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.
4. All data requests, subpoenas, or other discovery requests or notices shall be issued no later than September 15, 2017. With respect to deposing a witness, so long as a notice of deposition is issued by September 15, 2016, the deposition may occur so long as it is scheduled on or before September 22, 2017.
5. All motions to compel a response to any discovery request shall be filed no later than September 22, 2017.

WHEREFORE, Ameren Missouri, the Staff and OPC present this non-unanimous stipulation and agreement and request the Commission make and enter an order approving it.

Respectfully submitted,

/s/ James B. Lowery

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CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing have been e-mailed or mailed, via first-class United States Mail, postage pre-paid, to the service list of record of this case on this 6th day of December, 2016.

James B. Lowery

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