

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

In the Matter of a Determination of Special)	
Contemporary Resource Planning Issues to be)	
Addressed by Ameren Missouri in its Next)	<u>File No. EE-2018-0040</u>
Triennial Compliance Filing or Next Annual)	
Update Report)	

**MISSOURI DIVISION OF ENERGY’S REPLY TO
AMEREN’S RESPONSE TO APPLICATIONS TO INTERVENE**

COMES NOW the Missouri Department of Economic Development –
Division of Energy¹ (“DE”) and, in reply to *Ameren Missouri’s Response to Applications to Intervene* (“Response”) in the above-styled matter, states as follows:

1. On August 2, 2017, Union Electric Company d/b/a/ Ameren Missouri (“Ameren Missouri” or “Company”) filed with the Missouri Public Service Commission (“Commission”) a *Request for Waivers and Request for Expedited Treatment* related to Integrated Resource Planning (“IRP”) rules on Special Contemporary Issues and Annual Updates, as well as to Commission rules for filing a 60-day notice prior to filing its pleading.

2. On August 3, 2017, the Commission issued its *Notice and Order Directing Filings* which set an intervention deadline of August 10, 2017. The Missouri Industrial Energy Consumers (MIEC) filed its *Application to Intervene on August 9, 2017* and DE filed its *Motion to Intervene* on August 10, 2017.

¹ On August 28, 2013, Executive Order 13-03 transferred, “... all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development”

3. On August 11, 2017, Ameren Missouri filed its Response, stating that DE's and MIEC's intervention applications were unnecessary based on 4 CSR 240-22.080(4) (which grants automatic intervention to Special Contemporary Issues cases for parties in previous IRP cases), and that there will be no need for MIEC or DE to file anything concerning Special Contemporary Issues or an Annual Report if the Commission waives its IRP rules as the Company requests.

4. Ameren Missouri's arguments are internally inconsistent. As the Company notes in its Response, the Commission issued an order on August 3, 2017 that set an intervention deadline in this case. This order was reasonable, since 4 CSR 240-22.0080(4) allows parties to previous triennial IRP filings to submit Special Contemporary Issues for consideration, but does not speak to which parties are granted intervention in a case involving a variance request to the rules on Special Contemporary Issues. Based on the Commission's order, DE felt it appropriate to file its *Motion to Intervene*.

5. DE notes that the Commission's standard for granting interventions is broad, as 4 CSR 240-2.075(3) states that the Commission may grant an intervention if, "... The proposed intervenor ... has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case," or, "... Granting the proposed intervention would serve the public interest."

6. As stated in DE's *Motion to Intervene*, DE is a state agency vested with the powers and duties set forth in, *inter alia*, §§ 640.150 and 640.676, RSMo. DE's interests are different than those of the general public, as illustrated by its statutory authority to

plan for future energy needs and energy resource development; develop, promote, administer and monitor energy conservation programs;² consult and cooperate with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; and analyze the potential for increased use of energy alternatives and make recommendations for the expanded use of such alternate energy sources and technologies.³ DE's intervention, moreover, will serve a public interest, as DE will evaluate the filings from a formal state policy and planning perspective consistent with its interests in clean, affordable, abundant energy and its efficient use.

WHEREFORE, the Missouri Department of Economic Development – Division of Energy respectfully reiterates its request to intervene in this case and prays that the Commission will reject Ameren Missouri's Response.

Respectfully submitted,

/s/ Brian Bear

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² §§ 640.676 and 640.150.2, RSMo.

³ § 640.150.1, RSMo.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served electronically on all counsel of record this 14th day of August, 2017.

/s/ *Brian Bear*
Brian Bear