

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone and internet audio conference on the 18th day of November, 2020.

In the Matter of Union Electric Company d/b/a)
Ameren Missouri's Requests for a Temporary Waiver)
of Various Tariffs and Commission Order to Delay)
Implementation of Certain Time-of-Use Rates and)
Related Communication Tools for Residential)
Customers, a Permanent Waiver of Various)
Regulations to Cease Printing Beginning and Ending)
Readings on All Residential Customer Bills, for)
Waiver of 60-Day Notice Requirement, and for)
Expedited Treatment)

File No. EE-2021-0103

ORDER GRANTING VARIANCES AND WAIVERS

Issue Date: November 18, 2020

Effective Date: November 28, 2020

On October 6, 2020, Union Electric Company, d/b/a Ameren Missouri, filed an application for variances and waivers and a motion for expedited treatment. Ameren Missouri made four separate requests in its application. First, Ameren Missouri requested a temporary waiver from provisions of its electric tariffs and a Commission order authorizing it to delay for up to five months certain time-of-use (TOU) rates for residential customers and TOU rate-related communication tools. Second, Ameren Missouri requested Commission approval of permanent variances from portions of 20 CSR 4240-13 that would allow it to cease printing beginning and ending meter readings on all bills for residential customers with Advanced Metering Infrastructure (AMI) meters. Third, Ameren Missouri requested a waiver of Commission Rule 20 CSR 4240-4.017(1)(D) requiring a 60-day notice before filing the case. And fourth, Ameren Missouri requested

an expedited decision from the Commission so that these changes can become effective by December 31, 2020.

Variance from TOU Rate Implementation and Customer Communications

Ameren Missouri explained in its application that as part of the Commission-approved settlement agreement in its last general rate case, File No. ER-2019-0335, the signatories agreed to a detailed residential rate design plan with new default and optional rate plans, including TOU rates designed to be implemented with the AMI phase-in.¹ Ameren Missouri's compliance tariffs accordingly provided for the Daytime/Overnight rate to be available on January 1, 2021,² and for the optional three-part rate with demand charge and TOU energy charges to also be available as of January 1, 2021.³ However, Ameren Missouri found that making adjustments to its systems and processes to allow the migration of all of its more than one million residential customers to TOU billing was more difficult and time-consuming than it anticipated. Thus, Ameren Missouri requested to modify the timelines set out in the Commission-approved agreement⁴ including the Daytime/Overnight default rate implementation, the optional three-part rate with demand charge and TOU energy charges implementation, a communication to customers within six months of their AMI being installed to educate customers on what their bill would have been in prior billing periods under available rate options, and the on-line rate comparison tool. Ameren Missouri stated that the barriers to meeting the original timeframes were the

¹ File No. ER-2019-0335, *Corrected and Non-Unanimous Stipulation and Agreement*, (filed February 28, 2020), approved by Commission *Order Approving Stipulation and Agreements*, (issued March 18, 2020).

² Ameren Missouri's Electric Service Tariff, Schedule 6, Sheet No. 54.4, Service Classification No. 1(M) R-Daynight, Residential Daytime/Overnight Service, "Availability" section.

³ Ameren Missouri's Electric Service Tariff, Schedule 6, Sheet No. 54.13, Service Classification No. 1(M) RTOUUS, Residential Ultimate Saver Service, "Availability" section.

⁴ File No. ER-2019-0335, *Corrected and Non-Unanimous Stipulation and Agreement*, (filed February 28, 2020), approved by Commission *Order Approving Stipulation and Agreements*, (issued March 18, 2020).

additional technical and process scope of the project beyond that which was originally identified, the need for additional testing/quality assurance measures to ensure that the integrity of Ameren Missouri's billing system is preserved, the virtual training needed for field personnel and across the customer-interacting departments, the difficulty of coordinating key vendors' timeframes, and other COVID-19 pandemic impacts.

Ameren Missouri requested a five-month delay in transferring customers to TOU rates and providing supporting communications for customers whose AMI meters are installed between July and November, 2020. Ameren stated that the temporary delays only impact residential customers whose AMI meters were/are installed from July through November, 2020, and those residential customers will still have the ability to choose other already available TOU rate options. For customers whose AMI meters are installed after December 1, 2020, no waivers are necessary.

Ameren stated that it has discussed its inability to meet the agreed-to timeframes in stakeholders meetings held pursuant to the agreement in File No. ER-2019-0335 and that Paragraph 27.a.v. of the agreement provides that Ameren Missouri will request an adjustment to the timelines in the event it cannot meet those timelines.

Meter Reading Variance

For its second request, Ameren Missouri explained that during its Business Process Design sessions for the new TOU rate options rollout and other terms of the agreement in ER-2019-0335, it realized it would need a variance from 20 CSR 4240-13.020(9), allowing it to cease printing beginning and ending meter readings on bills for both TOU and non-TOU residential customers. This variance request is in addition to

the variance granted in File No. EE-2019-0382.⁵ The original variance in File No. EE-2019-0382 was a variance from printing readings on bills contemplated for TOU customers because those readings were based on interval readings. During its Business Design Process, Ameren Missouri found that all residential bills need to be based on interval readings to accommodate the required shadow billing process in a manner that ensures the accuracy of the calculations of bills on all available rate options. Thus, Ameren Missouri requests a permanent variance from 20 CSR 4240-13.020(9) to allow it to cease printing beginning and ending readings on all bills for residential customers with Advanced Metering Infrastructure (AMI) meters.

Waiver of 20 CSR 4240-13.065(2)

Ameren Missouri also requests a waiver of 20 CSR 4240-13.065(2) which requires an applicant for a variance to send copies of its application by first class mail to the newspapers with the largest circulation in each county within its service area and to the Office of the Public Counsel and each of the parties in its most recent rate case. Ameren Missouri stated that due to Covid-19 pandemic concerns, it was not possible to mail the copies by first class mail. Thus, the copies were sent to the newspapers and the parties by e-mail. Ameren Missouri requests a waiver of the first class mail requirement for this variance application.

Waiver of 60-Day Notice

Ameren Missouri also requests a waiver of 20 CSR 4240-4.017(1) requiring notice of intended case filings be filed at least 60-days prior to the application. Ameren Missouri states that good cause exists because it only identified the need to file the request for

⁵ File No. EE-2019-0382, *Order Approving Partial Stipulation and Agreement*, (issued May 28, 2020).

waivers as it worked through the detailed Business Process Design in September 2020. Further, Ameren Missouri stated that delaying the filing for 60 days would have unreasonably jeopardized the testing and rollout of the new rates and communication tools and lead to customer confusion regarding availability of the new rates.

Expedited Treatment

Ameren Missouri requested expedited treatment of its application so that a Commission decision could be final no later than December 31, 2020. This will allow Ameren Missouri to adjust the timeframes set out in the agreement in File No. ER-2019-0335 and to implement any necessary changes to meet the adjusted timeframes.

Responses and Staff Recommendation

The Commission directed responses or objections to Ameren Missouri's filing be made no later than October 29, 2020. The Staff of the Commission (Staff) filed its recommendation on October 29, 2020. No other responses to the application were received.

In its recommendation, Staff stated that it did not oppose the application and requests of Ameren Missouri. However, Staff stated that it had "concerns regarding the TOU and AMI rollout programs and education efforts."⁶ Staff stated that it has concerns, as it did in Ameren Missouri's last general rate case, File No. ER-2019-0335, regarding Ameren Missouri's customer education plans and customer engagement plans for the eventual transition to the default TOU rate and AMI meters. Since Ameren Missouri expressed doubts with its ability to provide accurate customer bills without the delay,

⁶ *Staff Recommendation*, paragraph 4.

however, Staff stated it does not oppose the requested waivers and variances. Staff encouraged Ameren Missouri to further engage stakeholders regarding concerns raised by customers attempting to navigate Ameren Missouri's customer engagement materials thus far and to continue efforts to make changes that would allow the beginning and ending readings to be printed on bills. Staff also recommended that Ameren Missouri expeditiously prepare and submit a revised Schedule 6, tariff sheet 131 to implement the 20 CSR 4240-13 waivers or variances approved in this matter.

Decision

The Commission has reviewed the verified application and Staff's recommendation and finds good cause to grant Ameren Missouri's requested five-month variances from the provisions of the agreement and from Ameren Missouri's tariffs as requested. The Commission also finds good cause to grant the permanent variance of 20 CSR 4240-13.020(9). Further, the Commission finds good cause exists to grant Ameren Missouri a waiver from the Commission's mailing and 60-day notice requirements for this application. The Commission has also considered the concerns expressed in Staff's recommendation and will direct Ameren Missouri to file proposed tariff sheets in compliance with this order. Additionally, the Commission grants expedited treatment of this matter. Therefore, the Commission will shorten the response times to any compliance tariff changes filed and will make this order effective in less than 30 days.

THE COMMISSION ORDERS THAT:

1. Ameren Missouri, is granted a five-month variance from compliance with the provisions of the *Corrected and Non-Unanimous Stipulation and Agreement* approved

in the *Order Approving Stipulation and Agreements* issued on March 18, 2020, in File No. ER-2019-0335, and the corresponding tariffs as follows:

- a. Paragraph 27(a)(ii) of the agreement requiring residential customers to be transferred or defaulted to the Daytime/Overnight rate within six months after the customer receives an AMI meter if they do not select another available rate option. Correspondingly, Ameren Missouri's compliance tariffs provided for the Daytime/Overnight rate to be available on January 1, 2021, which was six months after the first AMI meter was installed by the Ameren Missouri for a residential customer.⁷
- b. Paragraph 27(d) of the agreement requiring an optional three-part rate with demand charge and TOU energy charges be made available as another rate option for residential customers. And, Ameren Missouri's compliance tariffs providing for the optional three-part rate with demand charge and TOU energy charges to be available as of January 1, 2021 (six months after the first AMI was installed by Ameren Missouri for a residential customer).⁸
- c. Paragraph 27(a)(ii) of the agreement requiring that within six billing months after a customer receives an AMI meter, Ameren Missouri shall communicate with the customer to educate the customer on what their bill would have been in prior billing periods under available rate options.

⁷ Ameren Missouri's Electric Service Tariff, Schedule 6, Sheet No. 54.4, Service Classification No. 1(M) RDaynight, Residential Daytime/Overnight Service, "Availability" section.

⁸ Ameren Missouri's Electric Service Tariff, Schedule 6, Sheet No. 54.13, Service Classification No. 1(M) R-TOUUS, Residential Ultimate Saver Service, "Availability" section.

d. Paragraph 27(a)(iv)(3) of the agreement requiring Ameren Missouri to develop an on-line neutral rate comparison tool to show a customer their bill under each available rate option based on historical usage information, and communicate to residential customers via their preferred communication method how to access the rate comparison tool. The timing of this customer communication shall be discussed at a later meeting of the relevant stakeholders.

2. Ameren Missouri is granted a variance from 20 CSR 4240-13.020(9) allowing it to cease printing beginning and ending readings on all bills for residential customers with AMI meters.

3. Ameren Missouri is granted a waiver of the requirement in 20 CSR 4240-13.065(2) to mail copies of this application via first class mail.

4. Ameren Missouri shall further engage stakeholders regarding concerns that have been raised by customers who have attempted to navigate Ameren Missouri's customer engagement materials, which echo concerns raised by Staff and other stakeholders throughout the meetings scheduled pursuant to the *Corrected and Non-Unanimous Stipulation and Agreement* in File No. ER-2019-0335, and shall continue efforts to change its billing system to allow the printing of beginning and ending readings on bills.

5. No later than December 1, 2020, Ameren Missouri shall file a revised Schedule 6, tariff sheet 131, showing the waivers related to portions of 20 CSR 4240-13 with regard to the cessation of printing beginning and ending readings on all bills for residential customers with AMI meters.

6. Staff shall file a recommendation with regard to the revised tariff sheets filed as a result of this order no later than five business days after the tariff sheets are filed.

7. Any objections or responses to the revised tariffs sheets filed as a result of this order shall be filed no later than five business days after the tariff sheets are filed.

8. Ameren Missouri is granted a waiver of the 60-day notice requirement in 20 CSR 4240-4.017(1) in this matter.

9. This order shall become effective on November 28, 2020.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Dippell, Senior Regulatory Law Judge