

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 30th day of
August, 2017.

In the Matter of Waivers of Special)	
Contemporary Resource Planning Issues to be)	File No. EE-2018-0040
Addressed by Ameren Missouri in its Next Triennial)	
Compliance Filing and Next Annual Update Report)	

ORDER GRANTING REQUEST FOR WAIVERS

Issue Date: August 30, 2017

Effective Date: September 12, 2017

Union Electric d/b/a Ameren Missouri ("Ameren Missouri") filed the application.¹

The Commission granted ² applications to intervene from the Missouri Industrial Energy Consumers,³ Midwest Energy Consumers Group,⁴ and the Missouri Division of Energy ("DoE").⁵ The Commission received responses to the application only from Staff ⁶ and DoE,⁷ each stating no objection to the application. No hearing is necessary for the Commission to grant unopposed relief.⁸ Therefore, this action is not a contested case and the Commission need not separately state its findings of fact.

¹ Electronic Filing Information System ("EFIS") No. 12 (August 16, 2017) *Staff's Response to Ameren Missouri's Request for Waivers and Request for Expedited Treatment*. References to EFIS are to this File No. EE-2018-0040 except as otherwise noted.

² EFIS No. 11 (August 16, 2017) *Order Granting Intervention and Setting Date For Filing*.

³ EFIS No. 3 (August 9, 2017) *Application to Intervene of Missouri Industrial Energy Consumers*.

⁴ EFIS No. 7 (August 10, 2017), *Application to Intervene of the Midwest Energy Consumers Group*.

⁵ EFIS No. 5 (August 10, 2017) *Missouri Division of Energy's Motion to Intervene*.

⁶ EFIS No. 12 (August 16, 2017) *Staff's Response to Ameren Missouri's Request for Waivers and Request for Expedited Treatment*.

⁷ EFIS No. 14 (August 23, 2017) *Missouri Division of Energy's Response to Ameren Missouri's Request for Waivers and Request for Expedited Treatment*.

⁸ *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Comm'n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

The application seeks a waiver from the Commission's regulations related to integrated resource planning ("IRP"), special contemporary issues, and an annual update. The standard for waiving those requirements is good cause.⁹ Good cause exists, Ameren Missouri argues, because review of Ameren Missouri's next triennial IRP report will overlap the procedures for special contemporary issues and annual updates, rendering those procedures unnecessary.

Ordinarily, no such overlap occurs because the special contemporary issue procedure occurs in September through November, the annual update procedure starts in March and ends in April with the filing of a report, except every third year when the IRP triennial report is due. Ameren Missouri's triennial IRP report is ordinarily due on April 1, 2017,¹⁰ the special contemporary issue procedure will occur in September through November 2017,¹¹ and the annual update procedure will begin in March 2018¹² as follows.

Year	March-April	September-November
2014	Triennial IRP	Special contemporary issues
2015	Annual update	Special contemporary issues
2016	Annual update	Special contemporary issues
2017	Triennial IRP	Special contemporary issues
2018	Annual update	Special contemporary issues

⁹ 4 CSR 240-22.080(13).

¹⁰ 4 CSR 240-22.080(1)(C).

¹¹ 4 CSR 240-22.080(4)(A).

¹² 4 CSR 240-22.080(3)(B).

But the Commission granted Ameren Missouri a variance, delaying the triennial IRP filing date to September 2017¹³ (“variance”)¹⁴ as follows.

Year	March-April	September-November
2014	Triennial IRP	Special contemporary issues
2015	Annual update	Special contemporary issues
2016	Annual update	Special contemporary issues
2017	<i>No filing</i>	<i>Triennial IRP and special contemporary issues</i>
2018	Annual update	Special contemporary issues

The variance pushes the 2017 triennial IRP report procedure several months into the procedure for special contemporary issues and annual update of 2017-2018. And an annual update is due in 2018 because no triennial IRP report is due in 2018.

In greater detail, the 2017-2018 special contemporary issues and annual update procedures will begin and end during review of Ameren Missouri's 2017 triennial IRP, making the latter procedures unnecessary as follows.

Person	Action	Due Date ¹⁵
Staff, OPC, ¹⁶ and others	Suggested special contemporary issues ¹⁷	September 15, 2017 ¹⁸

¹³ File No. EE-2015-0316, *In the Matter of Ameren Missouri's Request for a Variance from the Triennial Filing Date Requirement Found in 4 CSR 240-22.080*, EFIS No. 5 (July 22, 2015) *Order Granting Variance*. That order allowed Ameren Missouri to file the IRP triennial report no later than October 1, 2017, a Sunday. The application states that Ameren Missouri intends to make the filing on Friday, September 29, 2017.

¹⁴ Italics indicate the variance's deviations from the ordinary schedule as set by regulation.

¹⁵ Some dates as described by the regulations are approximate.

¹⁶ The Office of the Public Counsel.

¹⁷ File No. EO-2018-0047 is the repository for filing suggested special contemporary issues related to Ameren Missouri's next IRP report. *In the Matter of a Determination of Special Contemporary Resource Planning Issues to be Addressed by Ameren Missouri in its Next Triennial Compliance Filing or Next Annual Update Report*.

<i>Ameren Missouri</i>	<i>Triennial IRP</i>	<i>September 29, 2017</i> ¹⁹
Ameren Missouri, Staff, OPC, and others	Comments regarding suggested special contemporary issues	October 1, 2017 ²⁰
Commission	Order listing special contemporary issues	November 1, 2017 ²¹
<i>Staff, OPC, and others</i>	<i>Reports and comments alleging deficiencies in triennial IRP</i>	<i>February 26, 2018</i> ²²
Ameren Missouri	Annual update	March 13, 2018 ²³
Ameren Missouri	Annual update workshop	April 2, 2018 ²⁴
Ameren Missouri	Annual update workshop summary	April 12, 2018 ²⁵
<i>Ameren Missouri, Staff, OPC, and others</i>	<i>Responses to reports and comments</i>	<i>April 27, 2018</i> ²⁶

Moreover, the Commission may convene a hearing on alleged deficiencies in the 2017 triennial IRP report, extending review of the 2017 triennial IRP report even further past the 2017-2018 special contemporary issues and annual update procedures.

Therefore, based on the verified filings, the Commission finds and concludes that Ameren Missouri has shown good cause to grant the application.

¹⁸ 4 CSR 240-22.080 (4)(A).

¹⁹ File No. EE-2015-0316, EFIS No. 5 (July 22, 2015) *Order Granting Variance. In the Matter of Ameren Missouri's Request for a Variance from the Triennial Filing Date Requirement Found in 4 CSR 240-22.080*. That order allowed Ameren Missouri to file the IRP triennial report no later than October 1, 2017. That date is a Sunday. The application states that Ameren Missouri intends to make the filing on September 29, 2017.

²⁰ 4 CSR 240-22.080 (4)(B).

²¹ 4 CSR 240-22.080 (4)(C).

²² 4 CSR 240-22.080(7) and (8).

²³ 4 CSR 240-22.080(3)(B).

²⁴ 4 CSR 240-22.080(3)(A).

²⁵ 4 CSR 240-22.080(3)(C).

²⁶ 4 CSR 240-22.080(9) and (10).

THE COMMISSION ORDERS THAT:

1. *Ameren Missouri's Request for Waivers and Request for Expedited Treatment* is granted.

2. For Union Electric d/b/a Ameren Missouri, Regulation 4 CSR 240-22.080 is waived as to:

- a. Section (4) in 2017; and.
- b. Section (3) in 2018.

3. This order shall be effective on September 12, 2017.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is fluid and cursive.

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Daniel Jordan, Senior Regulatory Law Judge

APPENDIX: Provisions Waived (4 CSR 240-22.080)

(3) Beginning in 2012, on or about April 1 of every year in which the utility is not required to submit a triennial compliance filing, each electric utility shall host an annual update workshop with the stakeholder group. The utility at its discretion may host additional update workshops when conditions warrant. Any additional update workshops shall follow the same procedures as the annual update workshop.

(A) The purpose of the annual update workshop is to ensure that members of the stakeholder group have the opportunity to provide input and to stay informed regarding the--

1. Utility's current preferred resource plan;
2. Status of the identified critical uncertain factors;
3. Utility's progress in implementing the resource acquisition strategy;
4. Analyses and conclusions regarding any special contemporary issues that may have been identified pursuant to 4 CSR 240-22.080(4);
5. Resolution of any deficiencies or concerns pursuant to 4 CSR 240-22.080(16);
and
6. Changing conditions generally.

(B) The utility shall prepare an annual update report with both a public version and a highly-confidential version to document the information presented at the annual update workshop and shall file the annual update reports with the commission no less than twenty (20) days prior to the annual update workshop. The depth and detail of the annual update report shall generally be commensurate with the magnitude and significance of the changing conditions since the last filed triennial compliance filing or annual update filing. If the current resource acquisition strategy has changed from that contained in the most-recently-filed triennial compliance filing or annual update filing, the annual update report shall describe the changes and provide updated capacity balance spreadsheets required pursuant to 4 CSR 240-22.080(2)(D). If the current resource acquisition strategy has not changed, the annual update report shall explicitly verify that the current resource acquisition strategy is the same as that contained in the most-recently-filed triennial compliance filing or annual update filing.

(C) The utility shall prepare a summary report that shall list and describe any action items resulting from the workshop to be undertaken by the utility prior to next triennial compliance filing or annual update filing. The summary shall be filed within ten (10) days following the workshop. If there are no changes as a result of the workshop, the utility is required to file a notice that it will not be making any changes to its annual update report.

(D) Stakeholders may file comments with the commission concerning the utility's annual update report and summary report within thirty (30) days of the utility's filing of the summary report.

(4) It is the responsibility of each utility to keep abreast of evolving electric resource planning issues and to consider and analyze these issues in a timely manner in the triennial compliance filings and annual update reports. An order containing a list of special contemporary issues shall be issued by the commission for each utility to analyze and document in its next triennial compliance filing or next annual update report. The purpose of the special contemporary issues lists is to ensure that evolving regulatory, economic, financial, environmental, energy, technical, or customer issues are adequately addressed by each utility in its electric resource planning. Each special contemporary issues list will identify new and evolving issues but may also include other issues such as unresolved deficiencies or concerns from the preceding triennial compliance filing. To develop the list of special contemporary issues--

(A) No later than September 15, staff, public counsel, and parties to the last triennial compliance filing of each utility may file suggested special contemporary issues for each utility to consider;

(B) Not later than October 1, the utilities, staff, public counsel, and parties to the last triennial compliance filings may file comments regarding the special contemporary issues filed on September 15; and

(C) No later than November 1, an order containing a list of special contemporary issues shall be issued by the commission for each utility to analyze and document in its next triennial compliance filing or annual update report. The commission shall not be limited to only the filed suggested special contemporary issues. If the commission determines that there are no special contemporary issues for a utility to analyze, an order shall be issued by the commission stating that there are no special contemporary issues.


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 30th day of August 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

August 30, 2017

File/Case No. EE-2018-0040

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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.