

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at by internet and audio conference on the 2<sup>nd</sup> day of September, 2020.

In the Matter of the Application of Union Electric	)	
Company d/b/a Ameren Missouri for Approval of a	)	<b><u>File No. EE-2021-0051</u></b>
Variance Regarding the Timing of its Triennial	)	
Decommissioning Filing Required by 20 CSR 4240-	)	
20.070(4) for the Callaway Energy Center	)	

**ORDER GRANTING REQUESTS FOR WAIVER**

Issue Date: September 2, 2020

Effective Date: September 12, 2020

On August 24, 2020, Union Electric Company d/b/a Ameren Missouri (Ameren Missouri) submitted a request for variance from the September 1, 2020 deadline for filing cost estimates for decommissioning the Callaway Energy Center. Commission Rule 20 CSR 4240-20.070(4) requires all utilities with decommissioning trust funds for nuclear plants to file triennial cost studies of cost estimates for decommissioning nuclear generating units along with appropriate tariffs. Ameren Missouri filed its last decommissioning filing on September 1, 2017, so its next filing is due by September 1, 2020. Ameren Missouri requests a four-month extension to permit the filing of the cost estimate no later than December 31, 2020. Ameren Missouri also requested the Commission make its order in this matter effect as soon as possible.

Ameren Missouri explains that the consulting firm it has engaged to assist in the preparation of the cost study has been unable to complete the study in the time planned because of complications resulting from the COVID-19 pandemic as well as delays

caused by tropical storms creating power and internet outages.<sup>1</sup> Ameren Missouri indicates that although it has requested an extension until December 31, 2020, to file the report, it anticipates being able to file it sooner.

On August 25, 2020, the Commission ordered the Staff of the Commission (Staff) to file a recommendation by August 28, 2020, and ordered that any other party wishing to file a recommendation do so by the same date. Staff filed its recommendation on August 27, 2020, advising the Commission that it does not object to Ameren Missouri's requests for a variance. No other recommendations were filed.

Commission Rule 20 CSR 4240-20.070(17) permits the Commission to grant the requested waiver<sup>2</sup> after due notice and hearing and upon a showing of good cause.<sup>3</sup> After reviewing Ameren Missouri's request and Staff's recommendation, the Commission finds that Ameren Missouri's delay in filing the report is due to factors outside its control, and further that a short delay in the filing of the report will not harm Ameren Missouri's ratepayers. Therefore, the Commission finds good cause to grant the requests for a waiver and expedited treatment.

Ameren Missouri also requests a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017, declaring by affidavit that it has had no communication with the office of the commission within the prior 150 days regarding any

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<sup>1</sup> The consulting firm – TLG Services, Inc. – is located in New Orleans, Louisiana.

<sup>2</sup> Ameren Missouri's application ask for a variance from the rule, but the rule authorizes the granting of a waiver. The Commission will use the term "waiver" in this order.

<sup>3</sup> The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

substantive issue likely to be in the case. Based on that affidavit, the Commission finds that Ameren Missouri has shown good cause for waiver of the 60-day notice requirement.

As requested by Ameren Missouri, the Commission will make this order effective in less than 30 days.

**THE COMMISSION ORDERS THAT:**

1. Ameren Missouri is granted a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017.
2. Ameren Missouri is granted a waiver from the deadline in Commission Rule 20 CSR 4240-20.070(4) and must file its cost estimate for decommissioning the Callaway Energy Center no later than December 31, 2020.
3. This order shall become effective on September 12, 2020.
4. This file shall be closed on September 13, 2020.



**BY THE COMMISSION**

A handwritten signature in dark ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

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

Woodruff, Chief Regulatory Law Judge.