

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 20<sup>th</sup> day of July, 2023.

In the Matter of Union Electric Company )  
d/b/a Ameren Missouri's Request for a ) **File No. EE-2023-0409**  
Variance Regarding its Renewable Energy )  
Standard Compliance )

**ORDER REGARDING VARIANCES**

Issue Date: July 20, 2023

Effective Date: August 19, 2023

On June 1, 2023, Union Electric Company d/b/a Ameren Missouri filed an application for a variance regarding the Commission's Renewable Energy Standard (RES) rules. Ameren Missouri requests a variance from Commission Rules 20 CSR 4240-20.100(8)(A)1.I and (8)(A)1.J.

Commission Rule 20 CSR 4240-20.100(8)(A)1.I. requires electric utilities to file annual RES compliance reports for acquisition of resources that have a rated capacity of ten kW or greater. Commission Rule 20 CSR 4240-20.100(8)(A)1.J. requires electric utilities to file annual RES compliance reports for acquisition of electrical energy and/or Renewable Energy Credit (RECs) from a customer generator. Ameren Missouri also asks for a waiver from Commission Rule 20 CSR 4240-4.017(1), the Commission's 60-day notice rule.

The Staff of the Commission (Staff) filed its Recommendation on June 30, 2023. Staff recommends that the Commission grant the variance for 20 CSR 4240-20.100(8)(A)1.I. for the third-party REC purchases. Ameren Missouri provided

supplemental information on the purchases in an attempt to comply with the rule. Furthermore, the Missouri Department of Natural Resources Division of Energy have certified the producing facilities, and the RECs have been properly registered in the Commission's approved tracking system, the North American Renewables Registry.

Staff recommends the Commission deny the variance for 20 CSR 4240-20.100(8)(A)1.J. for reporting on customer-owned systems. Ameren Missouri provided the required information under this rule for certified systems and does not need a variance. Should the Commission grant a variance to this rule, it could obstruct compliance with Ameren Missouri's tariff, which requires this information of customer generators in the interconnection application and for billing. Furthermore, this information is necessary for determining the amount of solar rebates to be paid and prorating the amount of RECs received from customer generation aggregations in the first and final years. Finally, Staff recommends the Commission grant a waiver to the Commission's 60-day notice requirement.

Commission Rule 20 CSR 4240-2.080(13) allows parties ten days to respond to pleadings unless otherwise ordered by the Commission. The Commission issued no order contrary to the rule, and no party has responded to Staff's Recommendation.

Under 20 CSR 4240-20.100(11), the Commission may grant a variance for good cause shown. The Commission finds that Ameren Missouri has presented good cause for the variance to Commission Rule Commission Rule 20 CSR 4240-20.100(8)(A)1.I. and will grant the requested relief. The Commission further finds that Ameren Missouri has not presented good cause for the variance to Commission Rule 20 CSR 4240-20.100(8)(A)1.J.

The Commission also finds that Ameren Missouri has filed a verified declaration that it has not communicated with the Office of the Commission about this case for more than 150 days prior to filing it. Thus, Ameren Missouri has provided good cause for waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017(1), and the Commission will waive it.

**THE COMMISSION ORDERS THAT:**

1. Union Electric Company d/b/a Ameren Missouri's request for variance from Commission Rule 20 CSR 4240-20.100(8)(A)1.I. is granted.
2. Union Electric Company d/b/a Ameren Missouri's request for variance from Commission Rule 20 CSR 4240-20.100(8)(A)1.J. is denied.
3. The 60-day notice requirement of Commission Rule 20 CSR 4240-4.017(1) is waived.
4. This order shall become effective on August 19, 2023.
5. This file shall be closed on August 20, 2023.



**BY THE COMMISSION**

*Nancy Dippell*

Nancy Dippell  
Secretary

Rupp, Chm., Coleman, Holsman, Kolkmeier  
and Hahn CC., concur.

Pridgin, Deputy Chief Regulatory Law Judge

**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 20<sup>th</sup> day of July, 2023.**



*Nancy Dippell*  
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**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**July 20, 2023**

**File/Case No. EE-2023-0409**

**Missouri Public Service  
Commission**

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**Union Electric Company**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

*Sincerely,*



**Nancy Dippell  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.