

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

In the Matter of Union Electric Company d/b/a	)	
Ameren Missouri's 2nd Filing to Implement	)	<b><u>Case No. EO-2015-0055</u></b>
Regulatory Changes in Furtherance of Energy	)	
Efficiency as Allowed by MEEIA	)	

**STAFF RESPONSE TO AMEREN MISSOURI'S NOTIFICATION AND REQUEST FOR  
PROCESS EXCEPTION FROM THE FIVE DAY NOTIFICATION REQUIREMENT  
REGARDING MEEIA PROGRAM REVISIONS**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and hereby files its *Response To Ameren Missouri's Notification and Request For Process Exception From The Five Day Notification Requirement Regarding MEEIA Program Revisions* ("Response"). Staff's *Response* addresses Ameren Missouri's request for a "process exception" to address its non-compliance with the five day notice requirement for MEEIA program changes imposed on the Company under terms of the Non-Unanimous Stipulation and Agreement ("Stipulation") in the above-captioned case.<sup>1</sup> Staff further states as follows:

1 On June 15, 2016, Ameren Missouri filed three pleadings: *Notification of Changes to Custom New Construction and Retro Commissioning Guidelines* (EFIS Item No. 384), *Notification of Changes to Residential Standard and Custom Multifamily Low Income Program* (EFIS Item No. 383) and *Notification of Changes to Business Standard Incentive Program* (EFIS Item No. 382).

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<sup>1</sup> See page 4, paragraph (i) of the Non-Unanimous Stipulation and Agreement and Tariff Revision (YE-2016-0198) ("Stipulation") filed on February 5, 2016 and approved by the Commission in its Order Approving Non-Unanimous Stipulation and Agreement on February 10, 2016. (EFIS Item No's 308 and 310 respectively).

2. Ameren's *Notification of Changes to Customer New Construction and Retro Commissioning Guidelines* (EFIS Item No. 384) paragraph 6 states: "Unfortunately, Ameren Missouri inadvertently omitted the submission of the revisions in accordance with the 5-day filing requirement. Instead, the revisions were publicly released on actonenergy.com and implemented on May 20 without the requisite notice. We apologize sincerely for this oversight..." Further, Ameren states its belief that no customers were harmed as a result of the Company's error because:

"All stakeholders were appropriately involved in the discussion and vetting of these revisions; the stakeholders were informed of, and did not object to, the intended May 20 implementation date; no harm will be caused to any member of the stakeholder group due to the May 20 implementation of the revisions; Ameren Missouri's customers who are applying for incentives would likely be relying on the actonenergy.com for the incentive amounts; harm may result to Ameren Missouri's customers, through confusion and/or changes in incentives received, by not implanting these revisions as of their May 20 publication; [and] Ameren Missouri's customer relationships could suffer if it had to retract incentives that it began processing on May 20."

3. While Staff is of the opinion the above notification error by Ameren Missouri appears to have been harmless to its customers, the Staff recommends that Ameren Missouri take additional steps to inform and train its MEEIA program staff regarding compliance with the 5-day notification requirement for any future changes as set out in the Stipulation.

**WHEREFORE**, the Staff prays the Commission accept its *Response* and order any other relief it deems just in the circumstance.

Respectfully submitted,

**/s/ Robert S. Berlin**

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**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been electronically mailed this 21<sup>st</sup> day of June, 2016 to all counsel of record in this proceeding.

**/s/ Robert S. Berlin**