

3. Under 4 CSR 240-4.017(1)(D), waivers of the 60-day notice may be granted for good cause shown. Good cause includes, among other things, providing a verified statement that no communications have occurred with the office of the commission within the preceding 150 days regarding a substantive issue likely to be in the case. Ameren Missouri meets this requirement. Through this pleading, the Company provides notice that this case involves a variance request for the timing of its next triennial IRP compliance filing and the associated annual updates, as described below.

II. REQUESTED VARIANCES

A. 60-Day Notice Requirement

4. Ameren Missouri requests a variance from the 60-day notice requirement of 4 CSR 240-4.017, which states, in relevant part:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case ...

Pursuant to 4 CSR 240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. The rule further provides that good cause includes, " ... a verified declaration from the filing party that it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case ..."¹

As indicated in the Affidavit attached as Exhibit A, Ameren Missouri has had no communications with the office of the Commission (as defined by 4 CSR 240-4.015(10)) regarding any substantive issue likely to be in this case during the preceding 150 days. Accordingly, Ameren Missouri has

¹ Pursuant to the Commission's *Order Waiving 60-Day Notice Requirement* issued on August 1, 2017, in File No. WM-2018-0023, the examples of good cause provided in the rule are not exclusive, and the Commission may find that good cause has been established by other circumstances.

established good cause for a waiver from the 60-day requirement of 4 CSR 240-4.017(1). No other public utility will be affected by granting the Company a waiver from this requirement.

B. Timing of IRP Triennial Compliance Review and Updates

5. Ameren Missouri's process for producing its triennial IRP filing under the Commission's Chapter 22 rules is closely linked to its process for gaining Commission approval for demand-side management ("DSM") programs under the Commission's Chapter 20 rules implementing the requirements of the Missouri Energy Efficiency Investment Act ("MEEIA").

6. Ameren Missouri's current MEEIA case before the Commission (File No. EO-2018-0211) has requested the approval of programs, cost recovery, and incentive mechanisms for the third MEEIA Cycle. While the Company believes that case will end in settlement for the Commission's consideration, the matter remains outstanding.

7. The Commission's MEEIA rules require that electric utilities conduct a new DSM potential study no less than every four years.² Specific requirements in the Commission's MEEIA rules also link review and approval of DSM programs and cost recovery and incentive mechanisms to analyses included in triennial IRP filings.³ Specifically, the MEEIA rules require that the portfolio of programs for which approval is being requested must: 1) show a relationship of the demand-side programs to demand-side resources in the latest IRP compliance filings; and 2) are included in the utility's preferred IRP, or have been analyzed through the integration process required by 4 CSR 240-22 to determine the impact of the demand-side programs on the net present value of the utility's revenue requirements.

8. Ameren Missouri's next DSM potential study will include primary market research as agreed in the Joint Filing between Ameren Missouri, Staff, and other parties in the Company's

² 4 CSR 240-3.164(2)(A).

³ 4 CSR 240-20.093(9)(B)11; 4 CSR 240-20.094(4)(I)3.

2017 IRP docket (File No. EO-2018-0038). As a result, the potential study will require over a year to complete, and the results that are to be used in the Company's 2020 IRP filing will not be available until early 2020. Accordingly, early 2020 is the earliest that the Company can initiate its development of alternative resource plans for use in integration and risk analysis. After that analysis is complete, the Company performs a robust process for the selection of the preferred resource plan and acquisition strategy, including communications with the Ameren Board of Directors. Allowing Ameren Missouri until October 1, 2020, will provide sufficient time to conclude this process with the best information possible for its triennial IRP filing.

9. With the delay in the triennial compliance filing date, the Company also requests a commensurate delay in the annual update workshops with Staff and other stakeholders for 2021 and 2022 from April 1st to October 1st. In the past, when the Company requested a delay of its IRP filing date, its annual updates shifted to an interval exceeding 12 months, resulting in only one interim update. Staff raised the conduct of only one interim update between triennial filings as a concern in Ameren Missouri's most recent IRP filing, and asked that the Company plan for 12-month intervals in future IRP compliance filings.⁴ Delaying the annual updates to match the IRP filing date will allow the interval in updates during the triennial IRP period anticipated by the Commission's rules.

10. Accurate evaluation of the potential for demand-side resources is a critical component of electric utility resource planning and, for that reason, the Company believes it is important that its 2020 Chapter 22 triennial compliance filing integrated resource analysis, risk analysis and strategy selection be as consistent as possible. The Company also wishes to alleviate

⁴ File No. EO-2018-0038, *Staff Report* filed February 28, 2018, p. 14.

Staff's concern that past waivers extending the date for the submission of the triennial compliance filings have resulted in delays of the annual update process.

WHEREFORE, Ameren Missouri asks the Commission to grant it a variance from the filing date requirement of 4 CSR 240-22.080(1)(C) and allow the Company until October 1, 2020 to make its triennial compliance filing. Ameren Missouri also asks the Commission to allow a commensurate delay in the annual workshop updates – to October 1 of 2021 and 2022 – to ensure that those updates occur at the appropriate intervals.

Respectfully submitted,

/s/ Paula N. Johnson

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 16th day of October, 2018, to the Commission Staff and the Office of the Public Counsel.

/s/ Paula N. Johnson
