

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 28<sup>th</sup> day of January, 2015.

In the Matter of Union Electric Company	)	
d/b/a Ameren Missouri's Tariff to Increase its	)	<b><u>File No. ER-2014-0258</u></b>
Revenues for Electric Service	)	Tariff No. YE-2015-0003

**ORDER GRANTING MOTION TO MAKE EARNINGS REPORTS PUBLIC AND  
TO REDESIGNATE CERTAIN TESTIMONY AS PUBLIC**

Issue Date: January 28, 2015

Effective Date: January 28, 2015

The Consumers Council of Missouri filed a motion on January 11, 2015, asking the Commission to designate certain financial information about Ameren Missouri's earnings as public rather than highly confidential. The information in question is derived from surveillance monitoring reports submitted to the Commission by Ameren Missouri from 2012, through September 2014. By rule, surveillance monitoring reports are designated as highly confidential.<sup>1</sup> Because the surveillance monitoring reports are highly confidential, references to the details of those reports in testimony have also been designated as highly confidential and unavailable to the public.

When this issue arose in previous cases, the Commission made the surveillance reports from 2012 through the first quarter of 2014 open to the public. The only such reports that have not already been made public are the quarterly surveillance reports for the quarters ending June 30, 2014, and September 30, 2014. On January 21, Ameren Missouri filed a response to Consumer Council's motion, indicating it does not object to the

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<sup>1</sup> Commission rule 4 CSR 240-3.161(6).

declassification of the June 30 and September 30, 2014 surveillance reports. No other party has filed a response to Consumer Council's motion.

Although the Commission has previously declared that information derived from the surveillance reports filed before June 30, 2014 is available to the public, Consumer Council's motion points out that the direct testimony filed by Missouri Industrial Energy Consumers' witness Greg Meyer and by Public Counsel's witness Lena Mantle include multiple passages that were designated by those parties as highly confidential because they describe or contain information derived from the surveillance reports. Consumers Council asks that such information designated as highly confidential in that testimony be reclassified as public. In particular, Consumers Council points to the information designated as highly confidential on pages 8, 10, 12-15, 20-21, 24, 27-28, and schedules GRM-3 and GRM-4 of Meyers testimony, and on page 21 of Mantle's testimony. No party has opposed that request.

Commission rule 4 CSR 240-3.161(16) allows the Commission to waive any provision of that rule for good cause shown. Consumers Council has demonstrated good cause to waive the provision of the rule that makes the surveillance monitoring reports of June 30, and September 30, 2014, highly confidential. This waiver does not change the rule's general requirement that such surveillance monitoring reports be filed as highly confidential. Because the surveillance monitoring reports are no longer highly confidential, the references to those reports in testimony are also no longer highly confidential.

In addition, Commission Rule 4 CSR 240-2.135(12) allows the Commission to modify confidential designations given to pre-filed witness testimony if that designation is challenged by any party and the party asserting confidentiality does not establish the need to restrict disclosure of the information. No party has asserted that the information

designated as highly confidential on pages 8, 10, 12-15, 20-21, 24, 27-28, and schedules GRM-3 and GRM-4 of Meyer's testimony, and on page 21 of Mantle's testimony should remain confidential and that testimony will be re-designated as public information.<sup>2</sup>

**THE COMMISSION ORDERS THAT:**

1. The Surveillance Monitoring Reports filed by Union Electric Company, d/b/a Ameren Missouri on June 30, 2014 and September 30, 2014, previously designated as highly confidential, are re-designated as public information.
2. The portions of the direct testimony of Greg Meyer previously designated as highly confidential on pages 8, 10, 12-15, 20-21, 24, 27-28, and schedules GRM-3 and GRM-4 of that testimony, are re-designated as public information.
3. The portion of the direct testimony of Lena Mantle previously designated as highly confidential on page 21 of that testimony is re-designated as public information.
4. This order shall be effective when issued.

**BY THE COMMISSION**



A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff  
Secretary

R. Kenney, Chm., Stoll, W. Kenney,  
Hall, and Rupp, CC., concur.

Woodruff, Chief Regulatory  
Law Judge

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<sup>2</sup> The Commission notes that Schedule LM 2 attached to Lena Mantle's direct testimony is also highly confidential. Its designation is not affected by this order.