

**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 )  
Regulatory Changes in Furtherance of ) **File No. EO-2015-0055**  
Energy Efficiency as Allowed by MEEIA. )

**MISSOURI DIVISION OF ENERGY'S AMENDED STATEMENT OF POSITIONS**

**COMES NOW** the Missouri Division of Energy (DE), by and through the undersigned counsel, and for its *Statement of Positions* states:

1. *Should the Commission approve, reject or modify Ameren Missouri's MEEIA Cycle 2 Plan<sup>1</sup> (hereafter the "Plan")?*

DE recommends that the Commission approve Ameren Missouri's MEEIA Cycle 2 Plan as modified by the Nonunanimous Stipulation and Agreement ("Company Agreement")<sup>1</sup> filed by Union Electric Company d/b/a Ameren Missouri, Kansas City Power & Light Company, KCP&L Greater Missouri Operations Company, Natural Resources Defense Council, United for Missouri and DE on June 30, 2015. Ameren Missouri's MEEIA Cycle 2 Plan as modified by the Company Agreement represents a compromise between the Signatories. An outright rejection of the Plan as modified by the Company Agreement would lead to discontinuation of the Company's energy efficiency portfolio, poor public policy outcomes and be detrimental to the public interest. Even a temporary lapse in program availability would, at the very least, create significant uncertainty for customers, program partners, and the Company while

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<sup>1</sup> The Staff of the Missouri Public Service Commission filed an objection to the Company Agreement pursuant to Commission Rule 4 CSR 240-2.115(2)(D), which states that "A non-unanimous stipulation and agreement to which a timely objection has been filed shall be considered to be merely a position of the signatory parties to the stipulated position, except that no party shall be bound by it. All issues shall remain for determination after hearing."

drastically reducing the potential markets for energy efficiency in Missouri in the short term. The Company Agreement represents substantially greater movement towards the goal of achieving all cost-effective demand-side savings compared to both the original filing and the alternative of having no MEEIA portfolio in the Company's Missouri service territory. Rejection of the Company Agreement would lead to the need for increased future capacity additions at greater expense to the Company's ratepayers.

DE recommends that the Commission reject the competing Amended Non-Unanimous Stipulation and Agreement Regarding Ameren Missouri's MEEIA Cycle 2 ("Non-Company Agreement"), since approval of this agreement will have the same effect as outright rejection of Ameren Missouri's MEEIA Cycle 2 Plan. Commission approval of the Non-Company Agreement amounts to an outright rejection of the Plan because (1) Ameren Missouri has filed an objection to the Non-Utility Agreement, indicating that the proposal is unacceptable to the Company and (2) MEEIA is voluntary<sup>2</sup> and the Commission therefore may not impose modifications on a MEEIA Plan to which Ameren Missouri does not agree.

2. *Do the programs in the Plan, and associated incremental energy and demand savings, demonstrate progress toward achieving all cost-effective demand-side savings consistent with state policy (as established by MEEIA)?*

Yes. The Plan as modified by the Company Agreement demonstrates progress toward achieving all cost-effective demand-side savings. DE opposes Staff's narrow interpretation of §373.1075.4 RSMo and 4 CSR 240-20.093(2)(C) and the apparent

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<sup>2</sup> §393.1075.4 RSMo.

preference by Staff of a cost-effectiveness test other than the TRC which too narrowly focuses on rate impacts without fair consideration of other customer benefits.

3. *If the Commission approves a Plan, what are the components of the demand-side programs investment mechanism and how will each of the components be administered?*

DE recommends the Commission approve the demand-side programs investment mechanism as described in the Company Agreement.

4. *If the Commission approves a Plan, what variances from Commission rules based on a showing of good cause are necessary?*

DE recommends the Commission approve variances from Commission rules consistent with the Company Agreement. .

Respectfully submitted,

/s/ Alexander Antal

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### **CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been emailed to the certified service list this 16th day of July, 2015.

/s/ Alexander Antal

