

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

In the Matter of Union Electric Company            )  
d/b/a Ameren Missouri's Tariffs to                    )  
Increase Its Annual Revenues for                    )  
Electric Service.    )  
**File No. ER-2021-0240**

In the Matter of Union Electric Company            )  
d/b/a Ameren Missouri's Tariffs to                    )  
Increase Its Annual Revenues for                    )  
Gas Service.    )  
**File No. GR-2021-0241**

**JOINT LIST OF ISSUES, LIST AND ORDER OF WITNESSES,  
ORDER OF CROSS-EXAMINATION, AND ORDER OF  
OPENING STATEMENTS**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and on behalf of all the parties, tenders this *List of Issues, List and Order of Witnesses, Order of Cross Examination<sup>1</sup>, and Order of Opening Statements* in satisfaction of the Commission's *Order Setting Procedural Schedule and Adopting Test Year* issued herein on June 9, 2021:

**Monday, November 29, 2021**

- Mark Exhibits
- Entries of Appearance
- Motions and Outstanding Matters
- Opening Statements:
  - Ameren Missouri
  - Staff of the Missouri Public Service Commission
  - Office of the Public Counsel
  - Missouri Industrial Energy Consumers
  - Sierra Club
  - Natural Resources Defense Council
  - Legal Services of Eastern Missouri
  - Consumers Council of Missouri
  - Midwest Energy Consumer Group

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<sup>1</sup> Order of witnesses and order of cross examination may be modified at the hearing with the approval of the judge due to witness availability or to reflect actual adverseness.

**1. Overview (Electric and Gas)**

Wood (Ameren Missouri)  
Oligschlaeger (Staff, if needed)  
Busch (Staff, if needed)

**2. Advertising (Electric and Gas)**

*What amount of advertising expense should be included in Ameren Missouri's revenue requirement?*

Muniz (Ameren Missouri)  
Dhority (Staff)  
Marke (OPC)

**3. Dues, including EEI, USWAG, NEI, and Other Dues (Electric and Gas)**

*A. What amount should be included in Ameren Missouri's revenue requirement for EEI dues?*

*B. What amount, of the dues paid by Ameren Missouri to the Utility Solid Waste Activities Group should be included in revenue requirement?*

*C. What amount of the dues paid by Ameren Missouri to the Nuclear Energy Institute should be included in revenue requirement?*

*D. What amount of the dues paid by Ameren Missouri to other membership organizations should be included in revenue requirement?*

Lansford (Ameren Missouri)  
Byrne (Ameren Missouri)  
Dhority (Staff)

**Tuesday, November 30, 2021**

**4. Billing Determinants/Revenues (Electric).**

- A. What is the proper seasonal proration adjustment to use in setting billing units?*  
*B. What is the proper method to apply the weather adjustments to rate blocks?*

- C. *What is the right level of customer growth as of true-up cutoff date to use in setting billing units?*
- D. *What is the proper level of Energy Efficiency savings to be annualized in this case and rebased in the throughput disincentive?*
- E. *Should the Company's adjustment for customer-owned solar be adopted?*
- F. *What is the appropriate normal weather to be used in this case?*
- G. *What is the appropriate adjustment to kWh to reflect weather normalization and COVID-19?*

Bowden (Ameren Missouri)  
Cox (Staff)  
Roling (Staff)  
Stahlman (Staff)  
Kliethermes, R. (Staff)

- H. *What is the correct quantification of EDI discounts on revenues?*

Bowden (Ameren Missouri)  
Harris (Staff)

- I. *Should MIEC's proposed revenue adjustment be adopted?*

Meyer, G. (MIEC)  
Bowden (Ameren Missouri)

**5. Billing Determinants & Special Contracts (Gas).**

- A. *Should Staff's recommendation for the Company to require special contract customers to provide a detailed estimate of the cost to bypass and other documentation be accepted?*

- B. *Should Staff's proposal for revenue be imputed to Ameren Missouri for certain special contract customers be accepted?*

Klein (Ameren Missouri)  
McNutt (Staff)

**6. Storm Expense (Electric).**

- What level of storm expense should be included in the revenue requirement?*

Meyer, G. (MIEC)  
Majors (Staff)  
Lansford (Ameren Missouri)

**Wednesday, December 1, 2021**

**7. High Prairie (Electric).**

*A. Should 25% of the Company's investment in the High Prairie Energy Center be excluded from rate base in this case as proposed by OPC witness Marke?*

*B. Should the return adjustment proposed by MIEC witness Meyer be adopted for rates set in this electric case?*

*C. Should any of MIEC witness Meyer's other proposals related to the High Prairie Energy Center be adopted?*

*D. Should any of Staff witness Eubanks' reporting proposals be adopted?*

Marke<sup>2</sup> (OPC)  
Meyer, G. (MIEC)  
Arora (Ameren Missouri)  
Reed (Ameren Missouri)  
Owen (Renew Missouri)  
Luebbert (Staff)  
Eubanks (Staff)  
Ferguson (Staff)

**8. Power Plant Maintenance (Electric).**

*What level of non-labor power plant maintenance should be included in the revenue requirement?*

Lansford (Ameren Missouri)  
Amenthor (Staff)  
Meyer, G. (MIEC)

**9. Cash Working Capital (Electric and Gas).**

*A. Should the expense lead for state income taxes be modified as proposed by OPC witness Riley?*

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<sup>2</sup> Dr. Marke's appearance may be later during the schedule due to a postponement of his deposition at OPC's request.

*B. Should Staff's lead and lag factors for sale and use tax and payroll be used in setting rates in this case?*

Lansford (Ameren)  
Riley (OPC)  
Ferguson (Staff) – Sub-issue A  
Dhority (Staff) – Sub-issue B

**10. Two-Way Rate Switching Tracker (Electric)**

*A. Does Missouri law allow Ameren to adopt its “rate switching tracker” given Ameren’s election to operate under plant-in-service accounting?*

*B. Should the Two-Way Rate Switching Tracker proposed by the Company be adopted? If so, what should its terms be?*

Wills (Ameren Missouri)  
Kliethermes, R. (Staff)  
Marke (OPC)

**Thursday, December 2, 2021**

**11. Return on Common Equity ("ROE") (Electric and Gas).**

*In consideration of all relevant factors, what is the appropriate value for Return on Equity ("ROE") that the Commission should use in setting Ameren Missouri's Rate of Return?*

Bulkley (Ameren Missouri)  
Chari (Staff) - Electric  
Won (Staff) – Gas  
Oligschlaeger (Staff) – Electric  
Murray (OPC)

**12. Cost of Debt**

*What cost of debt should the Commission order for Ameren?*

Murray (OPC)  
Sagel (Ameren Missouri)  
Chari (Staff) – Electric  
Won (Staff) – Gas

**13. Capital Structure(Electric and Gas).**

*What is the appropriate capital structure to use for ratemaking in these cases?*

Bulkley (Ameren Missouri)  
Sagel (Ameren Missouri)  
Chari (Staff) – Electric  
Won (Staff) – Gas  
Murray (OPC)

**Friday, December 3, 2021**

**14. Rate Case Expense (Electric and Gas).**

*What is the appropriate amount to include in Ameren Missouri's revenue requirement for Rate Case Expense?*

Byrne (Ameren Missouri)  
Oligschlaeger (Staff)

**15. Non-Labor Distribution Maintenance (Gas).**

*What level of non-gas distribution maintenance expense should be included in Ameren Missouri's revenue requirement?*

Lansford (Ameren Missouri)  
Amenthor (Staff)

**16. Meramec Tracker (Electric).**

*What should the terms of the Meramec Tracker be?*

Lansford (Ameren Missouri)  
Meyer, G. (MIEC)  
Riley (OPC)  
Ferguson (Staff)

**Monday, December 6, 2021**

**17. Residential TOU Rates (Electric).**

*A. Should the Company be required to change the names for its TOU rate plans?*

*B. Should the peak period adder for the TOU default rate be increased to 1 cent per kWh in the summer and a half cent in the winter, or should it remain at its current level?*

Marke (OPC)  
Kliethermes, R. (Staff)  
Lange, Sarah (Staff)  
Faruqui (Ameren Missouri)  
Wills (Ameren Missouri)

**18. EV Incentives (Electric).**

*Should the electric vehicle incentives paid to employees be included in the revenue requirement?*

Lansford (Ameren Missouri)  
Lyons (Staff)

**19. Short-Term Incentive Compensation. (Electric and Gas).**

*What level of exceptional performance bonuses and short-term incentive compensation expense should be included in the Company's revenue requirement?*

Lansford (Ameren Missouri)  
Hasenfratz (Ameren Missouri)  
Young (Staff)

**20. Restricted Stock Units (Electric and Gas).**

*Should the Company's expenditures (capital and expense) for restricted stock units be included in the Company's revenue requirement?*

Lansford (Ameren Missouri)  
Hasenfratz (Ameren Missouri)  
Young (Staff)

**Tuesday, December 7, 2021**

**21. Depreciation (Electric and Gas)**

*What amount of depreciation expense should be included in Ameren Missouri's revenue requirement?*

Spanos (Ameren Missouri)  
Andrews (MIEC)  
Robinett (OPC)  
Cunigan (Staff) – Electric  
Buttig (Staff) – Gas

**22. Class Cost of Service, Revenue Allocation and Rate Design (Electric and Gas)**

*A. How should production costs be allocated among customer classes within a Class Cost of Service Study?*

*B. How should the non-fuel, non-labor components of production, operation and maintenance expense be classified and allocated among customer classes within a Class Cost of Service Study?*

*C. How should any rate increase be allocated to the several customer classes?*

*D. What should the customer charges associated with the Residential Class rate plans be for gas and electric?*

*E. Should the 11(M) tariff qualification provisions be modified to allow meters to be cumulated in limited, defined circumstances?*

*F. Should the Commission approve MEEG's proposed shift to increase the demand component for Large General Service and Small Primary Service and decrease energy charges?*

*G. Should the Commission approve MEEG's recommendation to require the Company to present analyses of alternatives to the hours-use rate design by 2025?*

*H. How should distribution costs be allocated or assigned among customer classes within a Class Cost of Service Study?*



*I. What is the appropriate level of Rider B credits to be applied to the bills of customers providing their own substation equipment?*

*J. Should Staff's recommended studies and data retention measures be adopted?*

*1. Data collection to facilitate more reasonable allocation or assignment of labor and non-labor distribution expenses in future rate cases.*

*2. Retention of billing determinants in a manner that facilitates the establishment of shoulder month rates to more accurately reflect the disparity in cost-causation between peak-winter months of December, January, and February, and the shoulder months that are currently included in the "winter" billing season.*

*3. Performance of a full study of the reasonableness of the calculations and assumptions underlying Rider B and Rider C to be filed as part of Company's direct filing in its next general rate case.*

*4. Tracking customer information by service classification and voltage level, with Ameren Missouri to file for Commission approval no later than June 1, 2022, proposed record keeping and data accessibility policies that Ameren Missouri will follow in order to implement record keeping and data accessibility practices to associate distribution system costs with the voltage of energy distributed and whether distribution system costs are used for network purposes or customer-specific purposes.*

*5. Study and retention of determinants associated with the creation of a coincident peak demand charge for all classes.*

*K. Should Ameren Missouri require, on a non-optional basis, that non-residential customers participate in Rider I, which incorporates a time of use element to customers' billing, as those customers obtain AMI metering equipment?*

Wills (Ameren Missouri)  
Hickman (Ameren Missouri)  
Brubaker (MIEC)  
Kliethermes, R. (Staff)  
Lange, Sarah (Staff)  
Chriss (MECG)  
Marke (OPC)  
Hutchinson (CCM)

### **23. Data Download/Green Button (Electric).**

*A. Should MECG's recommendation to require the Company to provide customers the ability to retrieve and download energy usage interval data for multiple accounts, up to and including all accounts, through one file be accepted?*

*B. Should MEGC's recommendation to require the Company to become Green Button Connect My Data ("CMD") compatible be accepted?*

Teague (MECG)  
Marke (OPC)  
Wills (Ameren Missouri)

**Wednesday, December 8, 2021**

**24. Rider DCA (Gas).**

*A. Does the Company's Rider DCA comply with Missouri statutes?*

*B. Should the Commission order the Company to discontinue Rider DCA? If the Company's Rider DCA is discontinued, what mechanism, if any, should the Company use to address variations in sales caused by weather?*

Harding (Ameren Missouri)  
Mantle (OPC)

**25. School Aggregation Program (Gas).**

*A. Should the Ameren Missouri tariffs related to school aggregation be modified as proposed by MSBA?*

Ervin (MSBA)  
Vognsen (MSBA)  
Patterson (Staff)  
Eggers (Ameren Missouri)

**26. Late Fees. (Electric and Gas).**

*A. Should late fees be eliminated with the reduction in revenue added to the revenue requirement increase?*

*B. If not, should they be reduced from 1.50% to 0.25% as proposed by OPC witness Marke with the reduction in revenue added to the revenue requirement increase?*

Marke (OPC)  
Hutchinson (CCM)  
Byrne (Ameren Missouri)

**27. Reconnection Fees (Electric).**

*A. Should reconnection fees be eliminated with the reduction in revenue added to the revenue requirement increase?*

Hutchinson (CCM)  
Byrne (Ameren Missouri)

**28. Low-Income and Other Customer Programs (Electric and Gas).**

*A. Should the changes to the Keeping Current/Keeping Cool Program proposed by CCM be approved?*

*B. Should the Critical Needs Pilot Program as proposed by OPC and supported by CCM be approved?*

*C. If the Critical Needs Pilot Program is approved, what budget should be established for the Program and how will the Program budget be funded?*

*D. Should a special homeless targeted program as proposed by OPC and supported by CCM and Staff be approved?*

*E. If the special homeless targeted program in D above is approved, what budget should be established for the program and how will the program budget be funded?*

*F. Should the Commission adopt Ameren's Pay As You Save (PAYS) proposal for energy efficiency programs? (Gas)*

*G. Should the Commission approve the continuance of gas energy efficiency programs and maintain a \$700,000 funding amount? (Gas)*

*H. Should Ameren Missouri allocate \$450,000 to the PAYS program and \$250,000 to weatherization agencies? (Gas)*

Hutchinson (CCM)  
Marke (OPC)  
Berg (Ameren Missouri)  
Boustead (Staff)  
Owen (Renew)

**Thursday, December 9, 2021**

**29. Net Base Energy Costs and Fuel Adjustment Clause (Electric).**

A. *What net base energy costs should be included in the Company's revenue requirement, including what should the seasonal Factor Bs and transmission percentages in the Fuel Adjustment Clause be?*

Lansford (Ameren Missouri)  
Peters (Ameren Missouri)  
Ferguson (Staff)  
Lange, Sh. (Staff)

B. *What language should be included in the Company's FAC tariff sheets in regard to coal plants after they are retired?*

Meyers (Ameren Missouri)  
Mastrogiannis (Staff)  
Mantle (OPC)

C. *Should the Commission order Ameren to change its fuel adjustment clause tariff regarding extraordinary costs? If yes, what changes should the Commission order?*

Mantle (OPC)  
Mastrogiannis (Staff)  
Meyer (Ameren Missouri)

D. *Should the Commission order Ameren to change its fuel adjustment clause tariff to state that research & development costs are not to be recovered through the FAC?*

Mantle (OPC)  
Mastrogiannis (Staff)  
Meyer (Ameren Missouri)

**30. RESRAM Base (Electric).**

*What should be the base amount for the Company's Renewable Energy Standard Rate Adjustment Mechanism?*

Lansford (Ameren Missouri)  
Peters (Ameren Missouri)  
Ferguson (Staff)  
Lange, Sh. (Staff)

**31. Miscellaneous Revenue Requirement Issues (Electric and Gas)**

A. *What level of non-qualified pensions and OPEB expense should be included in the Company's revenue requirement?*

B. *What level of payroll tax expense should be included in the Company's revenue requirement?*

C. *What level of software maintenance expense should be included in the Company's revenue requirement?*

Lansford (Ameren Missouri)  
Amenthor (Staff)

D. *What level of equity issuance costs should be included in the Company's rate base and recovered as amortization expense?*

Lansford (Ameren Missouri)  
Bolin (Staff)  
Murray (OPC)

E. *What should be the amortization period for the deferral balances arising from the orders in File Nos. EU-2021-0027 and GU-2021-0112?*

Lansford (Ameren Missouri)  
Bolin (Staff)

F. *What level of general legal expense should be included in the Company's revenue requirement?*

G. *What level of legal expense associated with FERC ROE cases should be included in the Company's revenue requirement? (Electric only)*

Lansford (Ameren Missouri)  
Caldwell (Staff)

H. *What level of call center expenses should be included in the revenue requirement?*

Moore (Ameren Missouri)  
Amenthor (Staff)

*I. Should the share of AMI software proposed by Ameren Missouri for allocation to gas operations be allocated to gas operations? If not, should that share be included in Ameren Missouri's revenue requirement for its electric operations?*

Moore (Ameren Missouri)  
Bolin (Staff)

*J. What level of injuries and damages expense should be included in the revenue requirement? (Gas only)*

Moore (Ameren Missouri)  
Caldwell (Staff)

*K. Should internal labor costs incurred for the 2020-2021 unplanned outage at the Callaway Energy Center be excluded from the revenue requirement?*

Moore (Ameren Missouri)  
Ferguson (Staff)

*L. Should Staff's recommended treatment of the SLU donation be accepted?*

Moore (Ameren Missouri)  
Majors (Staff)

**Friday, December 10, 2021**

**32. Distribution System Investments Analysis and Reporting (Electric)**

*A. Should Staff witness Luebbert's and/or OPC witness Marke's recommendations regarding development of an objective quantitative evaluation methodology, including but not limited to cost benefit analyses and performance metrics, be adopted?*

*B. Should Staff witness Luebbert's recommendation regarding requiring the Company to provide Staff with certain information relating to investments be adopted?*

Luebbert (Staff)  
Marke (OPC)  
Birk (Ameren Missouri)

**33. Voltage Optimization (Electric)**

*Should OPC's recommendation to require the Company to undertake a neutral third-party feasibility study regarding a voltage optimization plan as outlined in OPC witness Marke's surrebuttal testimony be adopted?*

Marke (OPC)  
Huss (Ameren Missouri)

**34. Community Solar (Electric).**

*A. Should the Company's proposal for a Community Solar permanent program be approved?*

*B. If the Company's proposed Community Solar permanent program is approved, should OPC's proposed risk-sharing and Staff's other modifications be required?*

Nauert (Ameren Missouri)  
Wills (Ameren Missouri)  
Bowden (Ameren Missouri)  
Marke (OPC)  
Coffer (Staff)

**35. Rate Schedule 12(M) (Electric).**

*Should rate schedule 12(M) be eliminated?*

Harding (Ameren Missouri)  
Wills (Ameren Missouri)  
Marke (OPC)  
Brubaker (MIEC)

**36. BOD Documentation/Advertising Documentation (Electric and Gas).**

*Should any ongoing access to Board of Directors and Advertising materials be ordered? If so, what should the terms of such access be?*

Ferguson (Staff)  
Byrne (Ameren Missouri)

**37. Combo Bill Formatting (Electric and Gas).**

*Should OPC witness Lena Mantle’s recommendation regarding the formatting of combination electric and gas bills be adopted and, if so, when should the formatting changes take effect?*

Mantle (OPC)  
Harding (Ameren Missouri)

**ORDER OF CROSS EXAMINATION:<sup>3</sup>**

<b><i>Company Witnesses:</i></b>	<b><i>MIEC Witnesses:</i></b>	
Renew Missouri	OPC	
Sierra Club	CCM	
NRDC	NRDC	
MECG	MECG	
Legal Services of East. Mo.	Legal Services of East. Mo.	
CCM	Sierra Club	
MIEC	Renew Missouri	
Staff	Staff	
OPC	Ameren Missouri	
<b><i>CCM Witnesses:</i></b>	<b><i>Renew Mo Witnesses:</i></b>	
OPC	Ameren Missouri	
Legal Services of East. Mo.	Staff	
Renew Missouri	Sierra Club	
<i>Sierra Club</i>	NRDC	
<i>NRDC</i>	MECG	
<i>MECG</i>	Legal Services of East. Mo.	
<i>MIEC</i>	CCM	
<i>Staff</i>	MIEC	
<i>Ameren Missouri</i>	OPC	

<sup>3</sup> The following orders are generally correct, but there are several issues where the order will need to be modified to reflect actual adverseness, e.g., Ameren Missouri and some other parties are not adverse to Staff on the High Prairie issue.



<b>MECG Witnesses:</b>	<b>MSBA Witnesses:</b>	<b>Staff Witnesses:</b>
MIEC		Renew Missouri
Ameren Missouri		Sierra Club
Renew Missouri		NRDC
Sierra Club		Legal Services of East.Mo.
NRDC		MECG
Legal Services of East. Mo		MIEC
CCM	MECG	CCM
OPC	Ameren Missouri	OPC
Staff	Staff	Ameren Missouri

<b>OPC Witnesses:</b>	
Legal Services of East. Mo.	
CCM	
Staff	
MECG	
MIEC	
NRDC	
Renew Missouri	
Sierra Club	
Ameren Missouri	

**WHEREFORE**, the Staff of the Missouri Public Service Commission and the other parties hereto jointly tender this *List of Issues, List and Order of Witnesses, Order of Cross Examination, and Order of Opening Statements* in satisfaction of the Commission's *Order Setting Procedural Schedule and Adopting Test Year* issued herein on June 9, 2021.

Respectfully submitted,

**/s/ Jeffrey A. Keevil**

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Attorney for the Staff of the  
Missouri Public Service Commission

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this 17th day of November, 2021, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

**/s/ Jeffrey A. Keevil**