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Procedural Conference
June 12, 2018
Jefferson City, Missouri
Volume 1

In the Matter of the First)
Prudence Review of The)
Missouri Energy Efficiency)
Investment Act (MEEIA) Cycle) File No. EO-2018-0155
2 Energy Efficiency Programs)
Of Union Electric Company)
d/b/a Ameren Missouri)

NANCY DIPPELL, Presiding
SENIOR REGULATORY LAW JUDGE

REPORTED BY:
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1 JUDGE DIPPELL: Okay. We can go ahead and go
2 on the record. This is Case Number EO-2018-0155 In the
3 Matter of the First Prudence Review of the Missouri
4 Energy Efficiency Investment Act Cycle 2 Energy
5 Efficiency Programs of Union Electric Company, Doing
6 Business as Ameren Missouri.

7 My name's Nancy Dippell. I'm the regulatory
8 law judge assigned to this case.

9 And I'm going to start with entries of
10 appearance from Commission Staff.

11 MR. BERLIN: Appearing on behalf of the
12 Staff, Robert S. Berlin, Post Office Box 360,
13 Jefferson City, Missouri 65012.

14 JUDGE DIPPELL: Office of Public Counsel.

15 MR. WILLIAMS: Hampton Williams and Caleb
16 Hall. My information's been provided to the court
17 reporter.

18 JUDGE DIPPELL: Union Electric Company.

19 MR. STEINER: L. Russell Mitten, Brydon,
20 Swearengen & England, 312 East Capitol Avenue, Jefferson
21 City, Missouri 65102.

22 JUDGE DIPPELL: Did you want to go ahead and
23 make an entry or are you just sitting in?

24 MR. HALL: Caleb Hall with the Office of
25 Public Counsel.

1 JUDGE DIPPELL: I'm sorry. Did you say that,
2 Hampton? I'm terribly sorry. I was listening for what I
3 wanted to hear, I guess. I didn't see your name listed
4 here, and I apologize.

5 And Missouri Division of Energy? Mr. Poston
6 we know is involved in another meeting this morning
7 having to do with Commission business and Ameren, so
8 since -- he's not here physically.

9 But it sounded like upon my entry to the room
10 today that you all have been talking about a procedural
11 schedule and how to go forward on this. So...

12 MR. BERLIN: That's correct, Your Honor. And
13 we're hopeful that we'll have something that all the
14 parties can agree on by the end of the day. If so, we'll
15 notify you and submit the proposed schedule to you.

16 JUDGE DIPPELL: Okay. So I take it with that
17 that you all are thinking that this is going to go to
18 hearing?

19 MR. BERLIN: We're preparing as if it does.
20 But I think we're all hopeful that we'll be able to
21 settle most, if not all, the issues.

22 JUDGE DIPPELL: Okay. It doesn't look like
23 to me in the rule that there's a specific timeline with
24 regard to if a hearing is requested, which is what we're
25 put in now, as opposed to if no hearing is requested, the

1 Commission has to get an order out in a certain number of
2 days. Is that -- am I correct on that? Is there some
3 other -- is that in the statute or anything? I didn't
4 look at that this morning.

5 MR. BERLIN: Well, the rule does set forth a
6 deadline --

7 JUDGE DIPPELL: Okay.

8 MR. BERLIN: -- for -- well, there's a due
9 date for the Staff's report, which was filed. There's a
10 deadline for request for hearing, which the Company met.
11 And then there's a deadline in the rule for Commission
12 order, which under the rule is June 29th, 2018. But
13 typically in this kind of a case we're able to come
14 together and agree on a procedural schedule that would --
15 would take the place of the rule timeline. Because the
16 rule is merely a timeline and we can, through the
17 agreement of the parties in the case, modify that
18 timeline.

19 MR. WILLIAMS: I think it's on the order of
20 the Commission too.

21 MR. BERLIN: Pardon me?

22 MR. WILLIAMS: On order of the Commission.

23 MR. BERLIN: On order of the Commission --

24 JUDGE DIPPELL: Yeah.

25 MR. BERLIN: -- through approval of a

1 proposed joint procedural schedule.

2 JUDGE DIPPELL: I guess my reading under the
3 prudence review, Section 11, was that if no party to the
4 proceeding requested a hearing, there was a deadline for
5 the --

6 MR. BERLIN: Right.

7 JUDGE DIPPELL: -- Commission. But is there
8 also in the rule -- I'm just -- this is for my own
9 education --

10 MR. WILLIAMS: My recollection of the rule is
11 that once -- that the purpose of that is to serve more --
12 almost kind of like the automatic effective date --

13 JUDGE DIPPELL: Right.

14 MR. WILLIAMS: -- Legislature to make sure --

15 JUDGE DIPPELL: Right.

16 MR. WILLIAMS: -- that where the parties are
17 in agreement that there's a timeline for a decision to be
18 made by the Commission, but that that timeline would not
19 apply --

20 JUDGE DIPPELL: Okay.

21 MR. WILLIAMS: -- once the parties requested
22 a hearing.

23 JUDGE DIPPELL: Okay.

24 MR. BERLIN: And then -- and propose a
25 procedural schedule.

1 JUDGE DIPPELL: Right. All right. Okay.
2 Well, I appreciate you all working on that.

3 Is there anything else that needs to go on
4 the record then this morning?

5 MR. WILLIAMS: I don't know that this
6 necessarily needs to go on the record. But I just would
7 like some clarification, just so I understand. In the
8 motion for rehearing, the Company identified that Staff's
9 recommendation was \$79,315 disallowance. On the Staff's
10 report on page 4, it identifies a total disallowance of
11 \$80,212, which includes about \$900 of interest.

12 I just wanted to make sure that that -- to
13 try to identify what Staff's actual proposed total
14 disallowance was, just so all the parties are on the
15 stage -- kind of the same page as far as --

16 MR. BERLIN: Well, the proposed total
17 disallowance, which is listed on page 3 of the -- it's
18 actually recreated on page 3 of the cover pleading,
19 Staff's report, and it's Table 2 of Staff's report in the
20 memorandum report, is \$80,212. That does include, as you
21 said, \$900 of interest, when added to the total proposed
22 disallowed costs of 79,332.

23 MR. WILLIAMS: So just for clarification,
24 what the Company identified in its motion was what Staff
25 has identified as a disallowed cost of \$79,000, which

1 does not identify staff's interest estimation?

2 MR. BERLIN: Well, what I believe to be true
3 here, and I know we have some of the auditors in the
4 room, is that the interest number could change, depending
5 upon whatever the date the Commission issues an order in
6 the case. I'm getting a nod, so...

7 MR. WILLIAMS: With respect, though, I guess
8 the determination of the disallowance, that would be the
9 \$79,000 figure; and then what would be -- then there
10 would be an additional amount for interest?

11 MR. BERLIN: Yes.

12 MR. WILLIAMS: That would be determined by
13 what ultimately the effective date of the order would be?

14 MR. BERLIN: That's -- that's right.

15 MR. WILLIAMS: Okay. Just for my own
16 clarification, I wanted to make sure we're all talking
17 about the same thing. Thank you, Judge.

18 JUDGE DIPPELL: No problem.

19 Is there anything else?

20 All right. Then seeing nothing further, we
21 can go ahead and go off the record.

22 MR. WILLIAMS: Thank you.

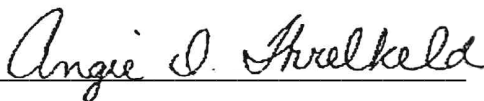
23 MR. BERLIN: Thank you.

24 JUDGE DIPPELL: Thank you all.

25 (Off the record.)

CERTIFICATE OF REPORTER

I, Angie D. Threlkeld, a Certified Court Reporter,
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Angie D. Threlkeld, CCR

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