

Exhibit No.:

Issue(s): *Application Requirements,
Qualifications, and
Consumer Comments*

Witness: *Brodrick Niemeier*

Sponsoring Party: *MoPSC Staff*

Type of Exhibit: *Rebuttal Testimony*

Case No.: *EA-2023-0286*

Date Testimony Prepared: *October 11, 2023*

MISSOURI PUBLIC SERVICE COMMISSION

INDUSTRY ANALYSIS DIVISION

ENGINEERING ANALYSIS DEPARTMENT

REBUTTAL TESTIMONY

OF

BRODRICK NIEMEIER

**UNION ELECTRIC COMPANY,
d/b/a AMEREN MISSOURI**

CASE NO. EA-2023-0286

Jefferson City, Missouri

October 2023

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1 A. Yes, I support the condition concerning Restoration Plans for each project.¹
2 Ameren Missouri is required by rule 20 CSR 4240-20.045(6)(J) to include restoration plans in
3 its application, but does not have them completed yet. In the Application, Ameren Missouri
4 requested a variance from this rule until closer to the time when each Solar Project will
5 commence commercial operations. Specifically, they asked for this variance to be consistent
6 with a condition from a previous CCN case, the Boomtown Project approved by the
7 Commission in EA-2022-0245. This condition asks Ameren Missouri to provide
8 Restoration Plans within 60 days of each project's in-service date, as also was done in the
9 Boomtown Project.

10 **APPLICATION REQUIREMENTS**

11 Q. Has Ameren Missouri provided the information required by 20 CSR 4240-
12 20.045(6) concerning the proposed solar farms within their Application?

13 A. No. Ameren Missouri's Application failed to fully provide information
14 concerning the four projects' operational features, start of construction dates, and restoration
15 plans. However, Ameren Missouri provided most of this information in response to
16 Staff Data Requests 98 through 101. Ameren Missouri has not yet provided Restoration Plans
17 for each site as required by 20 CSR 4240-20.045(6). A more in depth review of the Application
18 requirements can be found within Schedule BAN-r2.

19 **COMPANY QUALIFICATIONS**

20 Q. Could you tell me about the Split Rail Solar Project?

¹ The Split Rail, Cass County, Vandalia, and Bowling Green Projects.

1 A. Split Rail is a 300 MW solar facility planned to be constructed by
2 Invenergy Renewables before being transferred to Ameren Missouri. It is planned to begin
3 construction in April of 2024 and be in service by the second quarter of 2026.

4 Q. Who is Invenergy?

5 A. Invenergy is a private developer and operator of renewable projects that has been
6 in business since 2001. It is based in Chicago, Illinois and has more than 200 projects either
7 completed or in progress currently, according to its website.²

8 Q. What sort of projects does Invenergy usually work on?

9 A. Invenergy develops and operates large-scale renewable projects. According to
10 its website, Invenergy has completed 105 wind projects, 26 solar projects, and 27 storage
11 projects with more in various phases of planning and construction.³

12 Q. Could you tell me about the Cass County Solar Project?

13 A. Cass County is a 150 MW solar facility planned to be constructed by Savion
14 before being sold to Ameren Missouri using a Purchase Sales Agreement (“PSA”). Site
15 preparation for the site’s switching station began on June 23, 2023, and site mobilization and
16 civil work on the solar farm itself began on July 17.⁴ The Cass County Solar Farm is planned
17 to be in service by the fourth quarter of 2024.

18 Q. Who is Savion?

19 A. Savion is a Kansas City based solar and storage project developer that went into
20 business in 2019. It has completed 33 projects currently and has another 128 in various stages
21 of design and construction according to its website.⁵

² <https://invenergy.com/>

³ <https://invenergy.com/>

⁴ Ameren Response to Staff data request 99.

⁵ <https://savionenergy.com/>

Rebuttal Testimony of
Brodrick Niemeier

1 Q. Could you tell me about the other two projects?

2 A. Vandalia and Bowling Green are both being developed by Ameren Missouri.
3 Vandalia will begin construction in June of 2024, and when it is completed, in the fourth quarter
4 of 2025, it will have a capacity of 50 MW. Bowling Green will begin construction in
5 August of 2024 and be completed in the first quarter of 2026, also with a planned capacity
6 of 50 MW. Both projects will connect to Ameren Missouri's system. Staff witness Shawn
7 Lange provides additional information regarding the interconnection of all four projects.

8 Q. Is Ameren Missouri qualified to own, operate, construct, or otherwise maintain
9 these four projects?

10 A. Yes. Ameren Missouri is one of the oldest electric utilities in the state.
11 Ameren Missouri owns, operates and maintains various sizes and types of renewable and non-
12 renewable generation facilities. Ameren Missouri owns and operates the
13 Montgomery Community Solar and O'Fallon Renewable Energy Centers. However, as
14 explained by Staff witnesses Shawn Lange, Ameren Missouri has made decisions that have
15 affected the reliability of the Taum Sauk Pumped Storage Plant and has pursued unfavorable
16 projects such as the Brickyard Hills Wind Farm.

17 Q. Are the developers of the proposed Cass County and Split Rail projects
18 qualified?

19 A. Yes. Staff concludes that both Savion and Invenergy have completed similar
20 projects in the past and should be able to construct Cass County and Split Rail without issue.
21 Thus, they are qualified to construct the projects.

1 **CONSUMER COMMENTS**

2 Q. Has the Commission received any Consumer Comments relating to any of these
3 four projects?

4 A. No. As of October 6, 2023, the Commission has not received comments
5 referencing this case number in its Electronic Filing System (EFIS).

6 Q. Do you have a recommendation concerning Ameren Missouri's qualification to
7 own, operate, construct, or otherwise maintain these four projects?

8 A. Yes, I recommend the Commission find Ameren Missouri qualified to construct,
9 own, and/or operate the projects. Additionally, I recommend if the Commission grants
10 a CCN for any project, it is contingent on the following condition's being met,

11 Ameren Missouri shall provide Restoration Plans within 60 days of each project's in-
12 service date.

13 Q. Does this conclude your rebuttal testimony?

14 A. Yes, it does.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Union)
Electric Company d/b/a Ameren Missouri for) Case No. EA-2023-0286
Permission and Approval and Certificates of)
Public Convenience and Necessity Authorizing)
it to Construct Renewable Generation Facilities)

AFFIDAVIT OF BRODRICK NIEMEIER

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

COMES NOW BRODRICK NIEMEIER and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Rebuttal Testimony of Brodrick Niemeier*; and that the same is true and correct according to his best knowledge and belief.

Further the Affiant sayeth not.

Brodrick Niemeier
BRODRICK NIEMEIER

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 3rd day of October 2023.

D. SUZIE MANKIN
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: April 04, 2025
Commission Number: 12412070

D. Suzie Mankin
Notary Public

CREREDENTIALS AND CASE PARTICIPATION
OF BRODRICK NIEMEIER

Present Position:

I am an Assistant Engineer in the Engineering Analysis Department, Industry Analysis Division, of the Missouri Public Service Commission.

Educational Background and Work Experience:

In December 2021, I received a Bachelor of Science Degree in Chemical Engineering from Missouri University of Science and Technology (UMR). I joined the Commission Staff in March 2022.

Testimony Filed:

Case Number	Utility	Testimony	Issue
WA-2022-0361	Missouri American Water Company	Staff Report	Depreciation
EA-2022-0244	Ameren Missouri	Rebuttal	Qualifications and Report Requirements
WA-2023-0026	Confluence Rivers	Staff Report	Depreciation
WA-2023-0071	Missouri American Water Company	Staff Report	Depreciation
EO-2022-0320	Evergy Missouri West	Staff Report	Change of Provider
GE-2018-0193	Summit Natural Gas of Missouri	Staff Report	Meter Inspections
GE-2023-0196	Liberty (Empire) Gas	Staff Report	Meter Inspections
GE-2023-0354	Spire Missouri	Staff Report	Meter Inspections

Application Requirements

(A) A description of the proposed route or site of construction.

Ameren Missouri has provided aerial views of their proposed sites within witness Wibbenmeyer's direct testimony, page 293 of Schedule SW-D2 for Split Rail, page 665 of Schedule SW-D4 for Cass County, page 82 of Schedule SW-D6 for Vandalia, and page 202 of Schedule SW-D8 for Bowling Green. Therefore, the Company's application meets this requirement.

(B) A list of all electric, gas, and telephone conduit, wires, cables, and lines of regulated and nonregulated utilities, railroad tracks, and each underground facility, as defined in section 319.015, RSMo, which the proposed construction will cross.

Ameren Missouri provided a list of all possible utilities crossed by Split Rail in Schedule C, by Vandalia in Schedule D, and by Bowling Green by Schedule E of its Application. The Cass County project is located outside Missouri and Ameren did not provide a list of utilities crossed, however Staff has asked DR 183 to resolve this deficit. No response has yet been received.

(C) A description of the plans, specifications, and estimated costs for the complete scope of the construction project that also clearly identifies what will be the operational features of the asset once it is fully operational and used for service.

Project Specifications are presented within witness Wibbenmeyer's testimony¹. According to Ameren Missouri, the project has operational features standard to the solar industry.² Staff witness Shawn Lange presents in-service criteria used to test some of these operational features. The total expected cost for each project can be found in Table 1 of Ameren Missouri's Application.

(D) The projected beginning of construction date and the anticipated fully operational and used for service date of the asset.

Ameren Missouri plans for the Split Rail Solar Project to begin construction on April 2, 2024 and be in service by Quarter 2, 2026.

Ameren Missouri plans for the Cass County Solar Project to begin construction on June 3, 2023 and be in service by Quarter 4, 2024.

Ameren Missouri plans for the Vandalia Solar Project to begin construction on June 1, 2024 and be in service by Quarter 4, 2025.

¹ Split Rail project specifications are presented in Schedule SW-D2; Cass County Project specifications are presented in Schedule SW-D4; Vandalia project specifications are presented in Schedule SW-D6; and Bowling Green Solar Project specifications are presented in Schedule SW-D8 of witness's Direct Testimony.

² Ameren Missouri Response to Staff Data Request 98.

Ameren Missouri plans for the Split Rail project to begin construction on August 1, 2024 and be in service by Quarter 1, 2026.³

(E) A description of any common plant to be included in the construction project.

For each solar project, Ameren Missouri listed fencing, security systems, roads, select transformers, and the control house as components that will be treated as common plant.

(F) Plans for financing the construction of the asset;

Ameren Missouri has provided its plans for financing the projects on page 15 of its report, within Subsection (C). In summary, the Company plans on using chapter 100 financing arrangements as well as long term debt and equity for all four projects.

(G) A description of how the proposed asset relates to the electric utility's adopted preferred plan under 4 CSR 240-22;

Ameren's most recent Preferred Resource Plan (EO-2022-0362) considered a level of solar additions commensurate with these projects.

(H) An overview of the electric utility's plan for this project regarding competitive bidding, although competitive bidding is not required, for the design, engineering, procurement, construction management, and construction of the asset.

For the Split Rail Solar Project, competitive bidding was not used by Ameren, as it will be acquired through a Build-Transfer agreement. As such, Invenergy will conduct any competitive bidding included in the project. Similarly, the Cass County Solar project is being constructed by Savion and acquired through a Purchase and Sale agreement. Savion, as the developer will handle any competitive bidding. Both projects were selected using a competitive request for proposals process.

Ameren Missouri will be constructing the Vandalia and Bowling Green projects itself, and thus does discuss competitive bidding; especially for its selected engineering, procurement, and construction contractor; within Wibbenmeyer's direct testimony on pages 28 and 29.

(I) An overview of plans for operating and maintaining an asset.

Ameren Missouri plans to operate and maintain the four solar farms in a similar manner to its other large scale renewable generators, such as the High Prairie wind farm and O-Fallon solar facility, while coordinating with the Mid-continent Independent System Operator (MISO) due to being a member.

³ According to Application as well as Staff Data Request 99

(J) An overview of plans for restoration of safe and adequate service after significant, unplanned/forced outages of an asset.

Ameren Missouri plans to include an overview of plans for restoration of safe and adequate service after significant outages in its emergency action plan for the solar farms, however, the company is planning to wait until closer to the operational date for each project to complete the emergency action plans. Ameren Missouri recognizes that it does not meet this requirement and is requesting a variance to submit its overview of plans for restoration of safe and adequate service closer to the operational date. Ameren Missouri has provided its company-wide emergency response procedure, AUE-ADM-2401,⁴ and explained that it would be followed until any emergency on the site was mitigated, though this is neither a site specific plan nor a restoration plan. Staff recommends Ameren Missouri provide site specific Emergency Response procedures as well as restoration plans at most 60 days after each site enters into service.

(K) An affidavit or other verified certification of compliance with the following notice requirements to landowners directly affected by electric transmission line routes or transmission substation locations proposed by the application. The proof of compliance shall include a list of all directly affected landowners to whom notice was sent.

The Split Rail and Cass County projects covered in this CCN require short interconnection lines, which the developers, Invenergy and Savion, possess property rights for all land directly affected.⁵ Vandalia and Bowling Green connect directly to distribution lines, eliminating transmission level lines from these two projects.

⁴ Ameren Missouri Response to Staff Data Request 33 of EA-2022-0244.

⁵ According to Paragraphs 75 and 86 of Ameren Missouri's Application.