

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 28th day of
November, 2018.

In the Matter of the Application of Union Electric)	
Company d/b/a Ameren Missouri for Permission and)	
Approval and a Certificate of Convenience and)	<u>File No. EA-2019-0021</u>
Necessity Authorizing it to Construct a Wind)	
Generation Facility)	

ORDER GRANTING DEKALB COUNTY'S APPLICATION TO INTERVENE

Issue Date: November 28, 2018

Effective Date: November 28, 2018

On October 22, 2018, Union Electric Company d/b/a Ameren Missouri filed an application seeking an order granting a Certificate of Convenience and Necessity (CCN) pursuant to section 393.170, RSMo 2016. The CCN would authorize Ameren Missouri to construct, own, and operate a wind generation facility to be constructed in Atchison County, Missouri.

The Commission directed that notice of Ameren Missouri's application be given to potentially interested parties and established November 2 as the deadline for the filing of applications to intervene. Timely applications to intervene were filed by Renew Missouri Advocates d/b/a Renew Missouri, the Missouri Industrial Energy Consumers (MIEC); the Natural Resources Defense Council; The Missouri Department of Conservation, the Missouri Department of Economic Development – Division of Energy, the Sierra Club, Rock Port R-1 School District; Tarkio R-1 School District, Atchison County, and DeKalb County. No one

opposed the applications to intervene, except for DeKalb County's application, and, again with the exception of DeKalb County, the Commission granted each application to intervene.¹

Ameren Missouri opposed DeKalb County's application to intervene, contending that because the proposed wind generation facility will be constructed in Atchison County, approximately 90 miles from DeKalb County, the proposed facility will have no impact on DeKalb County or its tax revenues. In its application to intervene, and again in its reply to Ameren Missouri, DeKalb County argues that the Commission's decision in this matter could potentially have an impact on the tax revenues it receives from an existing wind facility in DeKalb County.

The basis of the disagreement is found in the Missouri tax law that determines how property tax collections are distributed among Missouri's counties. "Distributable Property," which includes property owned by a Commission-regulated investor-owned electrical corporation such as Ameren Missouri, is assessed by the State Tax Commission. The property taxes generated by such a facility are distributed to the taxing authorities in the jurisdictions where the utility provides electric service based on the proportion of line-miles of facilities present in each jurisdiction compared to the total line-miles of facilities owned by the utility. Property owned by an entity other than an electrical corporation, such as Ameren Missouri, would be locally assessed, and the local taxing authorities would receive the tax revenues. That means Atchison County taxing authorities may receive more property tax revenues from the proposed wind facility if it is owned by an entity other than Ameren Missouri.

¹ Fairfax R-3 School District filed an application to intervene on November 13, along with a motion seeking leave to late-file its application. No one opposed that application to intervene and the Commission granted it on November 27.

Atchison County and the Rock Port, Fairfax, and Tarkio School Districts are Atchison County taxing authorities that may be affected by the Commission's decision in this matter, and they have been allowed to intervene. However, DeKalb County is not an Atchison County taxing authority and cannot be directly adversely affected by the Commission's decision.² Never-the-less, DeKalb County argues it should be allowed to intervene because it is concerned that Ameren Missouri might, in the future, attempt to acquire an existing wind generation facility located in DeKalb County, thereby changing that facility from a locally-assessed property to a distributable property. It argues it should be allowed to intervene in this case because the Commission could set a precedent in this case that would control its decision in a future case that would directly affect DeKalb County's taxes.

Commission Rule 4 CSR 240-2.075(3) provides the Commission may grant an application to intervene if the proposed intervenor has "an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case." Or, in the alternative, the Commission may grant an application to intervene if it finds that "granting the proposed intervention would serve the public interest." After considering the application and the arguments presented by Ameren Missouri and DeKalb County, the Commission finds that the public interest will be served by allowing DeKalb County to intervene. The Commission will grant DeKalb County's application to intervene.

THE COMMISSION ORDERS THAT:

1. DeKalb County's Application to Intervene is granted.

² Because Ameren Missouri has some electric service facilities in DeKalb County, taxing authorities in DeKalb County would receive some tax revenue from the State Tax Commission for distributable property located in Atchison County.

2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Hall, Rupp, and
Coleman, CC., concur.

Woodruff, Chief Regulatory Law Judge

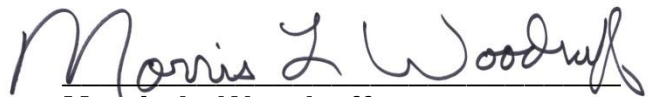
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 28th day of November 2018.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 28, 2018

File/Case No. EA-2019-0021

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in dark ink, reading "Morris L. Woodruff". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Morris L. Woodruff
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.