

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 9<sup>th</sup> day of  
January, 2019.

In the Matter of Union Electric	)	
Company d/b/a Ameren Missouri for a	)	<b><u>File No. EE-2019-0076</u></b>
Variance from 4 CSR 240-23.020(3)(C)	)	

**ORDER GRANTING WAIVER OF THE 60-DAY NOTICE  
AND DENYING VARIANCE OF 4 CSR 240-023.020(3)(C)**

Issue Date: January 9, 2019

Effective Date: January 19, 2019

On September 20, 2018, Union Electric Company d/b/a Ameren Missouri (Ameren Missouri) filed a *Notice of Case Filing and Request for Waivers* in which it requested a waiver from the 60-day notice requirement of 4 CSR 240-4.017(1)(D) and additional time, until March 31, 2019, to complete the annual inspection process described in 4 CSR 240-23.020(3)(C). On October 10, 2018, Ameren Missouri filed a motion to substitute its request with a different ground for good cause to waive the 60-day notice requirement.

The Staff of the Missouri Public Service Commission (Staff) filed its recommendation on December 10, 2018. Staff recommended that the request for variances be denied because the requests were premature and unnecessary. No party responded to Staff's recommendation.

Ameren Missouri requests a variance from 4 CSR 240-23.020(3)(C) because its corrective action schedule for 2018 was disrupted by its January to April 2018 deployment of resources to Puerto Rico after Hurricane Maria to help with emergency

electricity restoration efforts. Commission Rule 4 CSR 240-23.020(3)(C) states in relevant part:

Each electrical corporation . . . shall file . . . annual reports for every year by no later than July 1 covering the prior calendar year. The report shall identify the number of facilities, by type, which have been inspected during the previous reporting period. It shall identify those facilities that were scheduled for inspection but that were not inspected according to schedule and shall explain why the inspections were not conducted, and provide the electrical corporation's recovery plan to perform the required inspections. The report shall also present the total number and percentage breakdown of equipment rated at each condition rating level, including that equipment determined to be in need of corrective action. *Where corrective action was scheduled during the reporting period, the report shall present the total number and percentage of equipment that was or was not corrected during the reporting period.* For those instances in which equipment was scheduled to have corrective action but the equipment was not corrected during the reporting period, an explanation shall be provided, *including a date certain by which required corrective action will occur ....*<sup>1</sup>

As explained by Staff in its recommendation, a waiver of, or variance from, 4 CSR 240-23.020(3)(C) is not necessary because Ameren Missouri is only required to report by July 1, 2019, the corrective actions that were not completed as scheduled in 2018 and the revised schedule for completing those actions. Ameren Missouri stated in its filing that it plans to complete those actions no later than March 31, 2019. The Commission appreciates that Ameren Missouri chose to request a variance ahead of the reporting time, rather than risk a violation of the rule. However, since no variance or waiver is needed, the Commission will deny the request.

With regard to the request for a waiver of the 60-day notice requirement before filing a case, 4 CSR 240-4.017(1)(D) allows the Commission to grant a waiver of the 60-day notice requirement for good cause including "that circumstances prevented filing the required notice and delaying the filing for sixty (60) days would cause harm." Ameren

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<sup>1</sup> Emphasis added.

Missouri provided an explanation that it had filed its request as soon as possible after determining that it would not be able to complete the corrective actions in compliance with its 2018 schedule and why delaying for 60 days may have caused harm to its system and its ratepayers. The requested waiver from the 60-day notice requirement will be granted.

**THE COMMISSION ORDERS THAT:**

1. Union Electric Company d/b/a Ameren Missouri's request for waiver from the 60-day notice requirement of 4 CSR 240-4.017(1)(D) is granted.
2. Union Electric Company d/b/a Ameren Missouri's request for variance from 4 CSR 240-23.020(3)(C) is denied.
3. This order shall be effective on January 19, 2019.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

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

Dippell, Senior Regulatory Law Judge

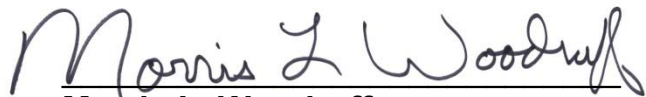
**STATE OF MISSOURI**

**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 9<sup>th</sup> day of January 2019.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**January 9, 2019**

**File/Case No. EE-2019-0076**

**Missouri Public Service  
Commission**

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**Union Electric Company**

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

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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