

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

In the Matter of Union Electric Company) **Case No. ET-2019-**
d/b/a Ameren Missouri Revised Tariff Sheets) Tracking No. JE-2019-0051

MOTION TO SUSPEND TARIFF SHEET AND OPEN NEW DOCKET

COMES NOW the Staff of the Missouri Public Service Commission (Staff),
by and through undersigned counsel, and for its *Motion to Suspend Tariff Sheet and Open New Docket* in this matter hereby states:

1. Union Electric Company d/b/a Ameren Missouri (Ameren) filed its revised Rider Missouri Forward and Rider EDRR tariff sheets with the Commission on September 25, 2018, bearing an effective date of October 25, 2018. The tariff sheets were assigned tracking number JE-2019-0051 and are attached to this pleading as Attachment A. On October 24, 2018, Ameren filed for an extension of the tariff sheets' effective date to November 21, 2018. The proposed revised tariff sheets seek to comply with Missouri Revised Statute § 393.1640 (2018) to establish a discount to encourage industrial and commercial business development in Missouri, and to make changes to the existing Rider EDRR.

2. Pursuant to 4 CSR 240-2.065, the Commission shall establish a case file for a tariff when a pleading is filed which objects to a tariff or requests the suspension of a tariff.

3. While Staff, the Company, and the Office of the Public Counsel have been working to resolve potential questions and areas of interest regarding the revised tariff sheets, Staff has determined that this proposed tariff revision may involve items

of interest to the Commission¹ and recommends the Commission open a docket pursuant to Rule 4 CSR 240-2.065 in which the parties may file records related to the tariff sheets' promulgation, and to provide additional time for the parties to discuss areas of interest regarding the tariff sheets' contents in a manner that may allow certain questions or concerns to be resolved through substitution of the tariff sheets. Staff asks that the Commission suspend Ameren's proposed revised tariff sheets so that they do not go into effect November 21, 2018, pending a final Commission determination or dismissal of this matter.

WHEREFORE, Staff prays that the Commission will open a new docket pursuant to Rule 4 CSR 240-2.065 upon receipt of this *Motion*; suspend the proposed tariff sheets so that the tariff sheets do not go into effect November 21, 2018; and grant such other and further relief as the Commission considers just in the circumstances.

Respectfully submitted,

/s/ Alexandra L. Klaus

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¹ These potential items of interest relate to certain portions of the sheets seeking to effectuate newly enacted Section 393.1640.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and/or counsel of record on this 19th day of November, 2018.

/s/ Alexandra L. Klaus

MO.P.S.C. SCHEDULE NO. 6 1st Revised SHEET NO. 86CANCELLING MO.P.S.C. SCHEDULE NO. 6 Original SHEET NO. 86APPLYING TO MISSOURI SERVICE AREA**RIDER MISSOURI FORWARD****ECONOMIC DEVELOPMENT*****PURPOSE**

The purpose of this Missouri Forward Economic Development rider is to implement the electric demand and energy discounts described in §393.1640 RSMo and encourage new industrial and commercial development in Company's service territory.

***AVAILABILITY**

Electric service under this Rider is only available to customers:

- That have submitted an Application to Company for Discounts under this Rider prior to a public announcement of the growth project that would qualify for this Rider.
- That are currently served under or considering service from the Company under the Company's Service Classifications 3(M) Large General Service Rate, 4(M) Small Primary Service Rate, or 11(M) Large Primary Service Rate.
- That also receive local, regional, or state governmental economic development incentives in conjunction with the incremental load.
- That are a industrial or commercial facility not involved in selling or providing goods and/or services directly to the general public.
- That are not receiving or considering service under §393.355 RSMo
- That are not receiving or have withdrawn from receiving incentives under any other economic development tariff of Company.
- That have not received within 12 months of application and will not receive concurrently with service under this Rider any other Rebates, except if Company's analysis indicates that customer will still contribute to fixed costs upon receiving both the Rebate(s) and service under this Rider, then both shall be allowed.
- No Missouri Forward Discount or Beneficial Location of Facilities Discount will be provided after December 31, 2023 unless Company has obtained an Order from the Missouri Public Service Commission required under subsection 5 of section §393.1400 RSMo.

***APPLICABILITY**

The qualifying load under this Rider shall be the load of a new customer at a single premises or the incremental load of an existing customer at a single premises but in either case net of any offsetting load reductions due to the reduced electric demand or energy requirements or termination of other accounts of the customer or an affiliate of the customer within 12 months prior to the commencement of service to the new load. In addition, the incremental load must meet the following criteria for consideration under this Rider:

1. The Load Factor of the customer's incremental load is reasonably projected to equal or exceed fifty-five percent (55%) during the entire term of application of this Rider.

*Indicates Addition

DATE OF ISSUE September 25, 2018 DATE EFFECTIVE October 25, 2018ISSUED BY Michael Moehn President St. Louis, Missouri
NAME OF OFFICER TITLE ADDRESS

MO.P.S.C. SCHEDULE NO. 61st Revised SHEET NO. 86.1CANCELLING MO.P.S.C. SCHEDULE NO. 6Original SHEET NO. 86.1APPLYING TO MISSOURI SERVICE AREARIDER MISSOURI FORWARDECONOMIC DEVELOPMENT (Cont'd.)*APPLICABILITY (Cont'd.)

2. The Qualifying Demand of the customer's incremental load is, or is reasonably projected to be, at least 300 kW during each Contract Year under this Rider.

The Company, at its sole discretion, shall determine whether an applicant or customer meets the requirements of this Rider and the acceptability of the information provided.

*DEFINITIONS

Agreement - The Missouri Forward agreement between customer and Company specifying the customer's election of discount percentages for each Contract Year.

Application - The Company document that provides notification by customer to Company of an intent to seek qualification for a Missouri Forward Discount which includes the initial customer and project information as known at the time of Application.

Average On-Peak Demand - The average of the twelve (12) on-peak demand values, in kilowatts (KW), recorded during each billing period of a Contract Year where on-peak demand is defined by the tariff selected by customer to receive service under.

Baseline Usage - The demand and energy billing determinants associated with the twelve (12) billing periods preceding the receipt by Company of a Missouri Forward Rider Application from customer: i) where the qualifying load is being added to an existing point of service, or ii) where customer has had a reduced electric demand or energy requirements or termination of other accounts.

Beneficial Location of Facilities Discount - A ten percent (10%) reduction in base rate components which shall be subject to Company's determination at the time of Application that the customer is taking service from an under-utilized circuit. The term of which will be up to one (1) year commencing when a customer's Missouri Forward Discount ends and is subject to continued qualification by customer and availability

Contract Year - Twelve (12) consecutive billing periods for which Missouri Forward Discount available under this Rider was applied. The first Contract Year will commence the later of i) when the meter for permanent service has been set up in the name of the customer that qualified for the Discount, and ii) the first full billing period after execution of the Agreement.

Load Factor - The ratio of the actual annual billed kilowatt-hours (kWh) vs. potential kWh based on the Average On-Peak Demand using the following formula:

$$\text{Load Factor} = \text{Annual Billed kWh} / \text{Average On-Peak Demand} / 8760 \text{ hours}$$

*Indicates Addition

DATE OF ISSUE September 25, 2018 DATE EFFECTIVE October 25, 2018ISSUED BY Michael Moehn President St. Louis, Missouri
NAME OF OFFICER TITLE ADDRESS

APPLYING TO _____

MISSOURI SERVICE AREARIDER MISSOURI FORWARDECONOMIC DEVELOPMENT (Cont'd.)DEFINITIONS (Cont'd.)

Missouri Forward Discount (Discount) - The reduction in base rate components which shall be available under this Rider for up to five (5) Contract Years subject to continued qualification by customer and availability of the Discount. At the time of execution of the Agreement, Customer will specify the Discount for each individual Contract Year to be 30%, 40% or 50% provided the average Discount for the five (5) Contract Years equals 40%.

Qualifying Demand - The average of the peak demands of the incremental load at a single point of service recorded during the twelve (12) billing periods of a Contract Year where peak demand is defined by the tariff selected by customer to receive service under.

Rebates - Direct payments available through Company's tariffs, other than those required by legislation, including but not limited to payments under any electrification program and provisions of Company's line extension tariffs but excluding energy efficiency and demand control response rebates and incentives provided through Company's tariffs implementing the Missouri Energy Efficiency Investment Act (MEEIA) §393.1075 RSMo.

INCENTIVE PROVISIONS

The customer shall separately submit an Application for service under this Rider and also enter into an Agreement with the Company specifying the nature of the service to be provided, the Discount from base rates to be applied, the Baseline Usage (if applicable), the term of the contract, and such other terms and conditions of service as are lawful and mutually agreeable. No Discount will be provided prior to execution of such Agreement and not sooner than 90 days following Company's receipt of customer's Application.

The Discount level specified by customer for each contract year will reduce the amount due for each bill for electric service issued by Company during the term that the Discount is effective.

Where it has been determined that there is Baseline Usage, the Discount will be applied to the difference between the total metered demand and energy calculated on current base rates and the Baseline Usage calculated on current base rates.

Where the incremental load is associated with a new service point, there is no Baseline Usage, and all electric energy and demand will receive the Discount.

Costs associated with relocation of Company facilities that are necessary to make the premises suitable for customer's siting or expansion, and which are not cosmetic or strictly for customer convenience, will be treated as line extension costs and will not be subject to the provisions of Company's General Rules and Regulations, III. Distribution System Extensions, Relocation of the Distribution System tariff.

DATE OF ISSUE September 25, 2018DATE EFFECTIVE October 25, 2018ISSUED BY Michael Moehn
NAME OF OFFICERPresident
TITLESt. Louis, Missouri
ADDRESS

MO.P.S.C. SCHEDULE NO. 6 Original SHEET NO. 86.3

CANCELLING MO.P.S.C. SCHEDULE NO. _____ SHEET NO. _____

APPLYING TO MISSOURI SERVICE AREA**RIDER MISSOURI FORWARD****ECONOMIC DEVELOPMENT (Cont'd.)****INCENTIVE PROVISIONS (Cont'd.)**

Revenues to be received from customer over the term of the contract shall be greater than Company's variable cost to provide electric service, as determined by the Missouri Public Service Commission (Commission), to ensure a positive contribution to fixed costs. If the Commission determines in a general rate proceeding that the level of Discount provided does not result in a positive contribution to fixed costs, then the Discount will be reduced, prospectively, to the extent required by the the Commission order irrespective of the Contract Year Discount level specified in the Agreement.

TERM & DISCOUNT

The Missouri Forward Discount shall be provided for not more than five (5) Contract Years or average more than a 40% discount from otherwise applicable tariffs, before tax additions, nor shall the term of Beneficial Location of Facilities Discount be more than one (1) Contract Year or be for more than of 10%.

Company's authorization to provide the Missouri Forward Discount and the Beneficial Location of Facilities Discount extends through December 31, 2023 except if Company has obtained an Order from the Missouri Public Service Commission required under subsection 5 of section §393.1400 RSMo, then Company's authorization will be extended through December 31, 2028. Under no circumstance will any Missouri Forward Discount or Beneficial Location of Facilities Discount be provided after December 31, 2028.

EARLY TERMINATION

Beginning at the end of the second Contract Year and annually thereafter, Customer's Qualifying Demand and Load Factor of the incremental load will be evaluated to verify that it qualifies to continue receiving the Missouri Forward Discount or the Beneficial Location of Facilities Discount. Only the incremental demand and energy will be evaluated after subtracting any Baseline Usage. To the extent that the verification indicates that the customer's load no longer satisfies the requirements to continue receiving Discounts due to either:

1. The Qualifying Demand less the Baseline Usage is less than 300 KW, or
2. The Load Factor is less than fifty-five percent (55%),

the Agreement shall terminate and no further Missouri Forward Discount or Beneficial Location of Facilities Discount will be available. Company may consider any Force Majeure conditions that impacted customer during the Contract Year when completing the incremental load evaluation.

When Company's authority to provide the Missouri Forward Discount and the Beneficial Location of Facilities Discount expires, subject to continued incremental load qualification, a customer with 500 KW of Qualifying Demand will be qualified to receive discounts specified in Company's Rider EDRR - Economic Development and Retention tariff for the remainder of the term associated with the Missouri Forward Discount.

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MO.P.S.C. SCHEDULE NO. 6

Original

SHEET NO. 86.4

CANCELLING MO.P.S.C. SCHEDULE NO. _____

SHEET NO. _____

APPLYING TO _____

MISSOURI SERVICE AREA

RIDER MISSOURI FORWARD

ECONOMIC DEVELOPMENT (Cont'd.)

EARLY TERMINATION (Cont'd.)

Customer may terminate service under this Rider upon written with the termination becoming effective at the end of the current billing period.

This Rider shall immediately become void, and the Company shall have no further obligations or liabilities hereunder, if any term or terms of this Rider are determined to be discriminatory or otherwise unlawful by a court of competent jurisdiction.

Discounts provided under provisions of rider are granted by company in consideration of a five year term. If at any time during term of contract, customer is allowed by changes in federal, state law or commission to take part or all of electric service from a provider other than Ameren, the Agreement shall terminate and no further Missouri Forward Discount or Beneficial Location of Facilities Discount will be available.

DATE OF ISSUE September 25, 2018

DATE EFFECTIVE October 25, 2018

ISSUED BY Michael Moehn
NAME OF OFFICER

President
TITLE

St. Louis, Missouri
ADDRESS

MO.P.S.C. SCHEDULE NO. 6 Original SHEET NO. 86.5

CANCELLING MO.P.S.C. SCHEDULE NO. _____ SHEET NO. _____

APPLYING TO MISSOURI SERVICE AREARIDER EDRRECONOMIC DEVELOPMENT AND RETENTION RIDER*PURPOSE

The purpose of this Economic Development and Retention Rider is to encourage new industrial and commercial development in Company's service territory and to retain existing load where possible.

*AVAILABILITY

Electric service under this Rider is only available, at Company's option, to customers currently served by or considering service from the Company where other viable electric supply options outside of Company's service area have been offered. Customer must be currently served, or qualify for service, under the Company's Service Classifications 3(M) Large General Service Rate, 4(M) Small Primary Service Rate, or 11(M) Large Primary Service Rate. Electric service under this Rider is only available in conjunction with local, regional, or state governmental economic development activities where incentives have been offered and accepted by customer who is requesting service to locate new or expanding facilities in the Company's service area or whose exit from the Company's service area is imminent.

**APPLICABILITY

The qualifying load under this Rider shall be the entire load of a new customer, the incremental new load of an existing customer, or the portion of an existing customer's load for which exit from the Company's service area is imminent. In addition, the qualified load must meet the following criteria for consideration under this Rider:

1. The annual load factor of the customer's qualifying load is reasonably projected to equal or exceed fifty-five percent (55%) during the entire term of application of this Rider.
2. The average monthly peak demand of the customer's qualifying load is, or is reasonably projected to be, at least 500 kW during each contract year under this Rider.
3. The availability of this Rider shall be limited to industrial and commercial facilities not involved in selling or providing goods and/or services directly to the general public.
4. For customers seeking a discount under this rider in order to retain load, customer must furnish to Company such documentation as deemed necessary by Company to verify customer's intent to select a viable electric supply option outside of Company's service area, including an affidavit stating customer's intent.

*Indicates Reissue. **Indicates Change.

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NAME OF OFFICER TITLE ADDRESS

RIDER EDRR

ECONOMIC DEVELOPMENT AND RETENTION RIDER (Cont'd.)

*APPLICABILITY (Cont'd.)

The Company, at its sole discretion, shall determine whether an applicant or customer meets the requirements of this Rider and the acceptability of the information provided.

Service under this Rider shall be evidenced by a contract between the customer and the Company, which shall be submitted within ten days of execution to the Commission for informational purposes. The terms of the contract shall be held in confidence by the Commission, the customer or its agent, and the Company.

*INCENTIVE PROVISIONS

The customer shall enter into a contract with the Company specifying the nature of the service to be provided, the discounts from standard tariffs to be applied, the term of the contract, and such other terms and conditions of service as are lawful and mutually agreeable. Revenues to be received from customer over the term of the contract shall be greater than the applicable incremental cost to provide electric service, as determined by the Company, ensuring a positive contribution to fixed costs. In no case shall the terms of the contract represent more than a 15% discount from otherwise applicable tariffs, before tax additions, nor shall the term of the contract extend more than five (5) years. If customer fails to fulfill the entire term of the contract, any agreed upon discounts shall become void and shall be repaid by customer.

**TERM

Customer must notify Company in writing of the date at which customer would like the provision of this rider to commence. Such commencement date must be within twelve (12) months of the execution of the contract. Failure to exercise commencement of the contract within twelve (12) months of execution will result in expiration of the contract and loss of all benefits.

This Rider shall immediately become void, and the Company shall have no further obligations or liabilities hereunder, if any term or terms of this Rider are determined to be discriminatory or otherwise unlawful by a court of competent jurisdiction.

*Indicates Reissue.

**Indicates Change