

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 Permission and Approval and) **File No. EA-2023-0286**
Certificates of Public Convenience and)
Necessity Authorizing It to Construct)
Renewable Generation Facilities)

ORDER CLARIFYING NOVEMBER 1ST ORDER

Issue Date: November 17, 2023

Effective Date: November 17, 2023

On October 18, 2023,¹ the Staff of the Commission (Staff) filed its *Motion to Require Supplemental Direct Testimony* in which it requested the Commission order Union Electric Company d/b/a Ameren Missouri to file supplemental direct testimony or, alternatively, amend the procedural schedule to allow Staff to respond to Ameren Missouri surrebuttal that addresses the concerns listed by Staff in its motion.

On October 24, Ameren Missouri filed its *Response in Opposition to Staff's Motion to Require Supplemental Direct Testimony*.

On October 30, Ameren Missouri filed an *Unopposed Motion to Amend Procedural Schedule and Motion for Expedited Treatment* in which, due to hospitalization of a main witness, it requested that the deadline for surrebuttal/cross-surrebuttal testimony be extended from November 3 to November 9.

On November 1, the Commission issued its *Order Denying Motion to Require Supplemental Direct Testimony and Amending Procedural Schedule*. In the order, Staff's request that Ameren Missouri be required to file supplemental direct testimony was

¹ Unless otherwise noted, all dates refer to the year 2023.

denied. However, the order granted “Staff’s request to amend the procedural schedule for the limited purpose of allowing Staff to respond to any surrebuttal testimony by Ameren Missouri witness(es) that addresses items listed in numbered paragraphs 1-5 of Staff’s *[Motion to Require Supplemental Direct Testimony]*.” The order then amended the procedural schedule to add a deadline for “Limited Sur-surrebuttal of Ameren Missouri Surrebuttal.”

On November 6, at Ameren Missouri’s request, and unopposed by the other parties, the Commission issued an *Order Suspending Procedural Schedule*.

On November 9, Ameren Missouri filed a *Request for Order Clarifying Order Respecting Limited Sur-Surrebuttal Testimony*, referring to the Commission order issued on November 1.

The Commission will clarify and supplement its November 1st order with additional direction to the parties.

THE COMMISSION ORDERS THAT:

1. Following the filing of any surrebuttal testimony by Ameren Missouri, any party that alleges that the testimony is beyond the scope of surrebuttal testimony, per Commission Rule 20 CSR 4240-2.130(7)(D), including, but not limited to, testimony that addresses items listed in numbered paragraphs 1-5 of Staff’s *Motion to Require Supplemental Direct Testimony* filed on October 18, may file a motion for leave to file sur-surrebuttal testimony, specifying the alleged improper surrebuttal testimony the party wishes to rebut.

2. Any such motion shall be filed within five business days of the deadline for surrebuttal in the (currently suspended) procedural schedule.

3. Prior to the Commission ruling on any such motion, parties will be given an opportunity to respond to the motion(s).

4. This order shall be effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Kenneth J. Seyer, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 17th day of November, 2023.

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 17th day of November 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 17, 2023

File/Case No. EA-2023-0286

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

Sincerely,



**Nancy Dippell
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.