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Issues:	Economic Feasibility, the Public Interest, Conditions for Approval
Witness:	Emily Piontek
Sponsoring Party:	Renew Missouri Advocates
Type of Exhibit:	Cross-Surrebuttal Testimony
Case Nos.:	EA-2023-0286
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MISSOURI PUBLIC SERVICE COMMISSION

EA-2023-0286

CROSS-SURREBUTTAL TESTIMONY

OF

EMILY PIONTEK

ON BEHALF OF

RENEW MISSOURI ADVOCATES

December 15, 2023

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I. INTRODUCTION

Q. Please state your name and business address.

A. My name is Emily Piontek. My business address is 915 East Ash St., Columbia, MO 65201.

Q. By whom are you employed, and in what capacity?

A. I assumed the role of Managing Director and Policy Coordinator for Renew Missouri in August, 2023. In this role, I oversee all clean energy policy-related activities for advocacy before the Missouri Legislature, the Missouri Public Service Commission (the "Commission"), as well as local, state, and federal governmental bodies.

Q. Please describe your educational background and work experience.

A. In 2020, I received my Master of Science degree in Human Dimensions of Natural Resource Management from the College of Agriculture, Food and Natural Resources at the University of Missouri-Columbia. During the same time, I also earned a Graduate Certificate in Public Policy from the Truman School at the University of Missouri. Prior to that, I earned dual Bachelor of Arts degrees in History and Political Science from Washington University in St. Louis in 2012.

I have worked in the clean energy advocacy sphere since 2018, during which time I have engaged with members of the public, local government officials, state lawmakers, and state and federal regulatory agencies on issues relating to the clean energy transition. The focus of my engagement has included clean energy deployment and permitting, energy access and affordability, and utility regulation. Prior to my current role, I spent more than three years advocating for a clean and affordable energy transition in Virginia as a campaign coordinator with Appalachian Voices. In that role, I led statewide policy campaigns on utility ratemaking, resource planning, and distributed generation

programming; served on two Virginia state agency task forces that were convened in 2022 to produce policy recommendations to state legislators regarding utility-scale solar permitting, deployment, and decommissioning; drafted legislative proposals on utility disconnection policies, energy assistance programs, and electric cooperative regulation for the Virginia Legislature in 2022 and 2023; and produced a technical report on utility disconnections and associated policy solutions by request of the Virginia State Corporation Commission in 2022. In 2021, I was a fellow with the Clean Energy Leadership Institute, an educational and professional development program for a national cohort of young energy-sector professionals. Prior to that, I was a Research Clerk with Renew Missouri, where I supported our legislative and regulatory work through research and technical reporting.

Q. Have you previously filed testimony before the Commission?

A. Yes. In 2020, while a Research Clerk with Renew Missouri, I submitted testimony regarding rate design and energy affordability concerns for low-income customers of Liberty Utilities (Case No. ER-2019-0374).

II. EXECUTIVE SUMMARY

Q. What is the purpose of your cross-surrebuttal testimony?

A. The purpose of my cross-surrebuttal is to respond to the rebuttal testimony submitted by Staff of the Missouri Public Service Commission ("Staff"), who argue that the proposed Cass, Vandalia, Bowling Green, and Split Rail solar projects (collectively, the "Projects") are not economically feasible, are incapable of meeting the energy and capacity needs of Ameren Missouri ("Ameren" or the "Company"), and create an unjustified impact to ratepayers. Staff's rebuttal, at its worst, is biased against clean energy and, at its best, is

concerningly shortsighted. In Section III below, I discuss why the Projects – which constitute a 550 MW addition of clean energy for the benefit of Ameren's ratepayers – are economically feasible and in the public interest. Moreover, I explain why the Company's choice to pursue the Projects at this time, at this scale, and according to this plan is strategically sound. In Section IV, I address the apparent heightened standard for reporting requirements and evidentiary burdens Staff seeks to impose for solar generation resources (but not for traditional fossil fuel resources). Finally, I object to the myopic condition for approval of the Certificate of Convenience and Necessity ("CCN") proposed by Staff witness Sarah Lange, who recommends – should the Commission approve this Application – a 12-year moratorium on the Company's earnings opportunity for programs implemented through the Missouri Energy Efficiency Investment Act ("MEEIA").[1] As discussed in Section V below, the energy efficiency and demand response measures set forth in Ameren's current and upcoming MEEIA portfolios actually complement the Company's investment into clean energy resources. Ultimately, I recommend that the Commission approve Ameren's Application.

III. AMEREN'S PROPOSED SOLAR PROJECTS ARE ECONOMICALLY FEASIBLE, IN THE PUBLIC INTEREST, AND A LOGICAL INVESTMENT GIVEN AVAILABLE FEDERAL INCENTIVES.

Q. Please explain how "economic feasibility" and the "public interest" are related.

A. I am not an attorney, but my understanding is that the Commission evaluates CCNs based on the framework of the "Tartan Factors." A helpful description of the Tartan Factors can be found in the Direct Testimony of Steven Wills.[2] Among the five factors for Commission

[1] Missouri Public Service Commission ("PSC") Docket No. EA-2023-0286, Rebuttal Testimony of Sarah Lange, p. 86:5-7 (October 11, 2023).
[2] Missouri PSC Docket No. EA-2023-0286, Direct Testimony of Steven Wills, p. 7:3-11 (June 16, 2023) (citing *In Re Tartan Energy Co., L.C.*, No. GA-94-127, 1994 WL 762882 (Sept. 16, 1994)).

consideration are whether the proposed resource is economically feasible, and whether granting the CCN promotes the public interest.[3]

Historically, the Commission has taken a holistic view of the public interest standard, expressing support for the "development of economical renewable energy sources to provide safe, reliable, and affordable service while improving the environment and reducing the amount of carbon dioxide released into the atmosphere."[4] More recently, the Commission has considered economic development, the demand from municipalities, industrial customers, and retail business for renewable energy, reliability and resiliency, and national security in its determination of the public interest.[5]

At the same time the Commission has moved towards a more expansive evaluation of the public interest, Staff has moved towards a much more narrow analysis of the factors that comprise a public interest finding.[6] Renew Missouri has, and continues, to maintain that a more holistic review of the public interest is not only proper given established Commission policy, but is also better suited to identify real benefits to ratepayers.

Q. What is Staff's position on whether the Projects promote the public interest?

A. Similarly to the previous arguments described above, Staff witnesses attempt to diminish the importance and scope of the public interest evaluation.[7] Notably, Staff suggests that consideration of the Commission's well-established public interest finding is somehow a tool to reduce the Commission's discretion in CCN proceedings.[8] Ultimately, Staff witness

[3] *See In Re Tartan Energy*.
[4] *See e.g.*, Missouri PSC Docket No. EA-2023-0017, Report and Order, p. 60 (October 12, 2023) (also citing the Report and Orders in Missouri PSC Docket Nos. EA-2015-0256, EO-2018-0092, and EO-2013-0307).
[5] *Id*. at p. 63.
[6] *See* Missouri PSC Docket No. EA-2022-0245, Exhibit 105: Rebuttal Testimony of J Luebbert, p. 14:17-21 (December 21, 2022) (stating "When additions of generating assets are tied to the physical need of ratepayers, and the economic efficiency of fulfilling the identified ratepayer need is demonstrated, the public interest is promoted").
[7] Rebuttal Testimony of Sarah Lange at p. 5:2-15.
[8] *Id*.

Sarah Lange recommends that the Commission consider project economics first, and only consider the broader public interest factors to overcome other deficiencies.[9]

Q. What is Staff's conclusion regarding the economic feasibility of the Projects?

A. Staff concludes that Ameren has not provided sufficient evidence to support a finding that the Projects are needed or economically feasible.[10] I would note that to Staff witness Stahlman, economic feasibility is purely based on whether project revenues would offset project costs.[11] Other factors, such as the role of federal incentives that reduce project costs, the relative cost of solar compared to other generating resources, and cascading economic impacts, are treated merely as externalities.

Q. Please explain your assessment of the economic feasibility of the Projects.

A. The Projects do, in fact, meet a high standard of economic feasibility. Even unsubsidized utility-scale solar has the lowest levelized cost of energy ("LCOE") and is at least cost-competitive with all conventional technologies, including when cost estimates are high.[12] When new federal subsidies, including the production and investment tax credits ("PTC" and "ITC", respectively) are considered, the calculus becomes even more favorable to utility-scale solar.[13] Ameren's own 2023 Integrated Resource Plan ("IRP") shows utility-scale solar utilizing the ITC is among its most economic resource options, demonstrating

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[9] *Id*. at p. 11:9-15.
[10] *See generally* Missouri PSC Docket No. EA-2023-0286, Rebuttal Testimony of Michael Stahlman (October 11, 2023), Rebuttal Testimony of Sarah Lange, Rebuttal Testimony of J Luebbert.
[11] Rebuttal Testimony of Michael Stahlman, p. 6:14-16 (defining economic feasibility as "a demonstration that higher revenues, due to the solar projects operating at higher market price periods, would be sufficient to offset the costs of the projects").
[12] *See* Lazard's "2023 Levelized Cost of Energy, Plus," p. 5 (April 12, 2023). This document provides an update to their annual report on the Levelized Cost of Energy ("LCOE"). According to even the unsubsidized analysis of renewable energy and conventional generators, the lowest cost estimate for utility-scale solar PV is less than the lowest-cost estimates for coal, gas peaking plants, and gas combined cycle; at the high end of cost estimates, solar is cost-competitive with all conventional technologies. Accessed at: https://www.lazard.com/research-insights/2023-levelized-cost-of-energyplus/.
[13] *See id*. at 6 (providing a cost comparison including federal subsidies).

a slightly higher LCOE than only one demand-side management scenario and wind (if utilizing the PTC).[14] Furthermore, for several cycles now, Ameren's IRPs have shown the Company is in a "solar build-out" phase and have modeled high- and low- solar penetration scenarios. The 2023 IRP, for example, plans for additions of nearly 2,500 MW of solar by 2030 beyond what has already been approved by the Commission.[15] Given these longstanding plans, as well as other recent solar CCN filings, Ameren's planned transition to a cleaner and more solar-forward portfolio has been extensively modeled and evaluated. Moreover, extensive Commission time has been dedicated to securing a deeper understanding of the current economic landscape created by a robust federal framework to incentivize clean energy deployment. The evidence set forth in Ameren's Application is consistent with sound logical and economic conclusions – that it is entirely reasonable that the Company would seek to build solar now, particularly with economic incentives at such optimal levels.

Q. What is your conclusion as to whether the proposed Projects promote the public interest?

A. In addition to the cost benefits of renewable generation outlined above, the Projects will provide a variety of economic development benefits that contribute to the broader public interest, including in the form of payments to landowners, construction jobs and associated economic activity in the area of each project site, and increases in state and local tax revenues.[16] While Staff witness Stahlman admitted the projects in this case could promote

[14] Missouri PSC Docket No. EO-2024-0020, Ameren Missouri's 2023 Integrated Resource Plan (September 26, 2023).
[15] *Id.*
[16] Missouri PSC Docket No. EA-2023-0286, Direct Testimony of Ajay Arora, p. 10 (June 16, 2023); Direct Testimony of Steven Wills at p. 18; Missouri PSC Docket No. EA-2023-0286, Direct Testimony of Scott Wibbenmeyer, p. 38 (June 16, 2023).

economic activity, development, and workforce retention, he did not seriously consider their implications within the public interest frame.[17] Rather, he inadequately addressed these potential benefits in juxtaposition to economic feasibility, simply calling such impacts "externalities."[18]

Q. Please explain why Staff's view of the public interest and economic feasibility is too narrow.

A. It is no longer appropriate to evaluate the public interest of a proposed generation resource purely through the angle of such an exclusive and narrow lens. The evolving policy landscape and current geopolitical context make it critical for the Commission to evaluate the public interest of a project as a distinct consideration, rather than an afterthought to perceived deficiencies in an Application. This is especially pertinent here, given the very narrow definition Staff applies to economic feasibility in this case.[19] These Projects, and others that will come before the Commission in the future, should be evaluated according to a more expansive view of economic feasibility that takes state and federal incentives and the relative cost compared to other resources into account. Additionally, Renew Missouri encourages the Commission to also consider (a) economic benefits "external" to feasibility, such as local economic activity, development, and workforce impacts; (b) broader potential non-economic benefits, such as any positive impact on human and environmental health and well-being; (c) contributions to domestic energy security, grid reliability, and resource diversity; and/or (d) interactions with broader market trends and other policy factors. In the current geopolitical and climate context, and according to the above non-economic and

[17] Rebuttal Testimony of Michael Stahlman, p. 4:20-28-5:1-3.
[18] *Id*. at p. 4:22-23.
[19] *Id*., p. 6:14-16.

"hard to quantify" criteria, the case for whether these particular solar energy projects are in the public interest is stronger than ever. Renew Missouri encourages the Commission to continue its practice of evaluating these factors through a more holistic lens, rather than adopting Staff's narrow and constraining suggestions.

Q. Why is the plan presented by the Company timely?

A. With the passage of the historic Inflation Reduction Act ("IRA") in 2022, the federal government directed over $250 billion towards the clean energy sector in order to substantially reduce U.S. carbon emissions by 2030. Particularly pertinent to this case, the IRA also extended both the ITC and PTC for clean electricity through 2032 (which would have expired otherwise) – mechanism(s) which the Company plans to utilize.

Staff witness Luebbert criticizes the Company for evaluating only the version of the ITC set to expire in the early 2020s – before the IRA was passed – in its 2020 IRP and 2022 Updated Preferred Plan.[20] Given their extension, Mr. Luebbert accuses the Company of creating an unwarranted "sense of urgency" for utilization of the ITC. He states "it is unreasonable to assume that these projects must be acquired, and at this time …"[21] Following Mr. Luebbert's logic would suggest that there is apparently no good time to build a solar project, even despite the new federal funding landscape.[22] In reality, by applying the newly extended ITC to the Projects, the Company demonstrates flexibility in planning, adjusting as it can to fortuitous and/or unforeseen new circumstances.

For his part, Staff witness Stahlman fails to appreciate the impact the ITC will have on the Projects, discounting the resulting reduction in project costs as a mere externality to

[20] Missouri PSC Docket No. EA-2023-0286, Rebuttal Testimony of J Luebbert, p. 12:18-21 (October 11, 2023).
[21] *Id.*, p. 14:8-10.
[22] *Id.*, p. 14:15-16.

the question of economic feasibility thus: "… the tax credits would be a reduction in the project's cost" but "do not show feasibility in and of themselves."[23] This line of thinking essentially amounts to a preoccupation with semantics on the part of Staff's witness, who overlooks the opportunity presented by the ITC: a reduction potential of up to 40% of project costs, regardless of whether this is defined as constituting "economic feasibility" or as an "externality."[24]

In recent years, the energy and climate policy landscape has evolved dramatically in favor of renewable energy resources for a multitude of economic, climate, health, and domestic security reasons. Staff witness Shawn Lange briefly mentions the positive implications of pro-renewable policy factors (like federal incentives for clean energy, carbon pricing, and emissions regulations) on the cost-effectiveness of renewable resources.[25] These factors should not be glossed over – these policies help to make renewable resources cost-effective today and will only continue to improve the cost-effectiveness of renewable resources as more extensive environmental regulations are put into place. After decades of public and private investments (including from the IRA) into renewable technologies, and following implementation of more stringent air pollution controls at the state and federal levels, renewable resources have become a competitive alternative to fossil fuel generators. It is also reasonable to expect that they will continue

[23] *See* Rebuttal Testimony of Michael Stahlman, pp. 4-5.
[24] *Id.*; The Clean Electricity Investment Tax Credit (IRA Section 13702) provides a base tax credit of 6% for qualified investments and can be increased according to the following criteria: (i) by 5 times for facilities meeting prevailing wage and apprenticeship requirements, (ii) by up to 10 percentage points for facilities meeting certain domestic content requirements, and (iii) by up to 10 percentage points if located in an energy community.
[25] *See* Rebuttal Testimony of Shawn Lange, pp. 8-13.

to be.[26] By capitalizing on both the policy and market forces at play today, the Company is making a smart and timely bid that will benefit ratepayers for decades to come.

Q. Why is the plan presented by the Company needed at this scale?

A. The Company's latest IRP, filed in September of this year, details its plan for a phased retirement of more than 7,000 MW of fossil fuel assets by 2050, including the Meramec and Rush Island coal-fired power plants and the Venice CT power station by 2030.[27] These retirements will account for nearly 2,500 MW of capacity, which can be partially replaced by the 550 MW of solar capacity sought in this CCN Application.

Q. What is your response to Staff's assertions that solar energy may not be appropriate for meeting energy needs within MISO?

A. As an overall theme, Staff witness Shawn Lange seems to suggest that solar is not a good resource to meet existing energy need, especially during winter peak, and that winter energy need can be better met via combustion turbine generators ("CTGs"). Mr. Lange describes a situation that "can exist in winter mornings… when solar resources are not generating at full capacity but load remains higher than the generation of other resources… [CTGs] can meet this need for energy in non-peak load hours."[28] Yet, he contradicts himself by writing that CTGs are subject to supply constraints during winter, as many CTGs "have availability only in non-winter periods because of pipeline and/or natural gas contracts."[29] Mr. Lange's arguments in favor of CTGs ignore substantial evidence

[26] *See* Lazard's "2023 Levelized Cost of Energy, Plus," pp. 5-6 (comparing both subsidized and unsubsidized resources).
[27] Missouri PSC Docket No. EO-2024-0020, Ameren's 2023 IRP.
[28] Rebuttal Testimony of Shawn Lange, p. 6:7-11.
[29] *Id*., p. 5:9-10.

demonstrating that solar facilities are meeting and even exceeding performance expectations during extreme winter weather based on relevant studies.[30]

Furthermore – and perhaps most alarmingly – Mr. Lange declines to acknowledge the widespread failures of natural gas generating units across the region impacted by Winter Storm Elliott in 2022. The FERC-NERC Regional Entity Joint Report on the matter found that nearly half of all generating units experiencing outages, failures to start, or derates, were natural gas-fired units.[31] Even more critically, the failure of natural gas-fired generators to function reliably was not unique to Winter Storm Elliott. That same FERC-NERC report revealed that:[32]

- Frozen gas infrastructure and fuel issues were a significant problem in each of the 5 recent extreme cold weather events (in 2011, 2014, 2018, 2021, and 2022);
- Gas production decreased significantly in 3 of those 5 extreme cold weather events (in 2011, 2021, and 2022); and
- Gas outages occurred in 2 of those 5 extreme cold weather events (in 2011 and 2022).

Gas-fired generation is not an entirely reliable resource to help the Company meet winter demand. Nor is it a comparable alternative to the Projects proposed by the Company in this case to meet year-round energy need, especially when considered alongside the

[30] *See generally* FERC-NERC-Regional Entity Joint Report (September 21, 2023). Accessed at: https://www.ferc.gov/news-events/news/presentation-ferc-nerc-regional-entity-joint-inquiry-winter-storm-elliott.
[31] *Id*. Specifically, 825 natural gas-fired generators were among the 1,702 individual generating units experiencing outages, derates, or failures to start across the affected region.
[32] *See id*.

Company's planned addition of 400 MW of battery storage in 2030 and another 400 MW of storage in 2035 – additions which will reliably complement the variable nature of solar.[33]

Q. Are there other "public interest" reasons to approve the plan, as it is presented by the Company?

A. Yes. First, the Projects will contribute to regional energy security during times of energy scarcity and/or energy pricing volatility, such as that which followed the (ongoing) period of global tumult resulting from the COVID-19 pandemic and the Russian invasion of Ukraine, and even the domestic crises of Winter Storms Elliot (2022) and Uri (2021).[34] Staff witness Stahlman would prefer that the Company be a "net purchaser" of power rather than a net generator.[35] However, the Commission should be wary of too much reliance on such an approach, which would make ratepayers vulnerable to market volatility and instability. The Company's response to Staff Data Request 003.0 (although made in regards to economic feasibility) highlights how project ownership can help insulate ratepayers from market fluctuations: "The proposed project will lessen reliance on the MISO market during higher market price periods."[36] Furthermore, the cost of solar power purchase agreements ("PPAs") has risen year after year, with no apparent decline on the horizon and continued interconnection delays for solar projects.[37] The Commission should consider these factors

[33] *See* Missouri PSC Docket No. EO-2024-0020, Ameren's 2023 IRP.
[34] U.S. Energy Information Administration, "Energy commodity prices in 2022 showed effects of Russia's full-scale invasion of Ukraine," (January 3, 2023); Carlos Fernandez Alvarez and Gergely Mohar, "What is behind soaring energy prices and what happens next?" International Energy Agency (October 12, 2021); PJM, "Winter Storm Elliott Event Analysis and Recommendation Report," (July 17, 2023); and FERC-NERC-Regional Entity Joint Report.
[35] Rebuttal Testimony of Michael Stahlman, pp. 7-9.
[36] *Id.,* pp. 3-4.
[37] Emma Penrod, "Renewable PPA dealmaking set to slow as high solar prices appear set to stay: LevelTen," Utility Dive (October 18, 2023).

as (1) a response to Mr. Luebbert's claim that the projects are "not an economically efficient solution to the identified need," [38] and (2) reasons to approve the CCN.

IV. STAFF SEEKS TO IMPOSE A HEIGHTENED STANDARD FOR APPROVAL OF RENEWABLE RESOURCES.

Q. Does Staff impose a heightened standard on these projects, in terms of filing requirements needed for approval, compared to other types of generation?

A. Yes. Staff witness Sarah Lange would like the Company to prove that its renewable energy projects are *immediately necessary* before this Commission grants the CCN at hand. To do so, the Company must "identify the alleged years, seasons, and extent of need" for the projects.[39] Ms. Lange also recommends that the Company explain why the projects are a good option for meeting winter capacity needs, a recommendation that targets solar specifically and belies general skepticism towards a resource which, though unique, performed reliably during Winter Storm Elliott, as just one recent example.[40] She makes these demands for proof despite the Company's modeling for its recently-filed 2023 IRP, which forecasts portfolio changes and load increases that justify the buildout of new generation in this decade.[41] Regardless, the Commission has discretion to approve CCNs for projects that are not *immediately necessary*, especially when it has determined that a project is in the public interest.[42]

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[38] Rebuttal Testimony of J Luebbert, p. 24.
[39] Rebuttal Testimony of Sarah Lange, pp. 16-17.
[40] *Id.*; *see also* FERC-NERC-Regional Entity Joint Report; *see* PJM "Winter Storm Elliot Frequently Asked Questions," p. 6 (April 12, 2023). Accessed at: https://www.pjm.com/-/media/markets-ops/winter-storm-elliott/faq-winter-storm-elliott.ashx.
[41] Missouri PSC Docket No. EO-2024-0020, Ameren's 2023 IRP.
[42] *See* Missouri PSC Docket No. EA-2016-0208, *Report and Order*, (finding that customers "have a strong interest in the development of economical renewable energy sources to provide safe, reliable, and affordable service while improving the environment and reducing the amount of carbon dioxide released into the atmosphere"); *see also* Missouri PSC Case Nos. EA-2015-0256, EA-2018-0092, and for similar findings.

Q. What is your opinion as to the volume of supplemental information requested by Staff?

A. Renew Missouri has no objection to the Company providing additional information to help the Commission come to a decision, so long as that additional information is reasonable and necessary given the unique circumstances of the Projects. However, the volume of information requested in Ms. Lange's testimony reaches far beyond the ability of a utility to compile for a single case, and has no precedent in any other CCN proceeding.[43] If the Commission were to require electric utilities to submit the volumes of information that Staff insists upon for every CCN for new solar generation, it is unlikely that any new utility-scale solar would ever be built in Missouri. The Commission has approved solar CCNs in the past while relying on the same level of information as the Company has submitted already in this case, and there is no apparent reason to insist upon another standard here.

IV. STAFF'S PROPOSED MORATORIUM ON THE MEEIA EARNINGS OPPORTUNITY IS UNREASONABLE AND ILLOGICAL.

Q. What is Staff's proposal regarding the MEEIA Earnings Opportunity ("EO") in this CCN application?

A. Staff witness Ms. Lange states it is unreasonable for the Commission to "permit Ameren Missouri to pursue generation-related earnings opportunities" while simultaneously compensating the Company "for avoiding generation-related earnings opportunities."[44] In other words, her contention is that the Company's shareholders are basically getting two bites of the apple, making a profit where energy efficiency programs are used to achieve energy savings and avoid generation, and making a profit yet again where generation-

[43] Rebuttal Testimony of Sarah Lange, pp. 17-19.
[44] *Id.*, p. 85:7-10.

related opportunities are pursued. However, this line of thinking considers both MEEIA and new clean generation in a vacuum. As previously stated, the Company plans to retire more than 7,000 MW of fossil fuel assets by 2050.[45] The Projects proposed in this Application represent an important, strategic investment to help account for generation resources that will ultimately be taken offline and that couldn't be accounted for via energy savings and peak load reduction resulting from MEEIA alone.

Q. How do the Company's MEEIA portfolio and simultaneous investments into solar energy generation complement each other?

A. The twin goals of (1) achieving energy savings, in part by tackling inefficient energy usage to avoid the need for new generation by reducing overall demand, and (2) meeting both existing load and anticipated load growth with clean energy, are not incompatible goals and should not be treated as mutually exclusive strategies by Staff. The Company's 2023 IRP projects demand growing by 0.3-1% annually, and energy consumption growing by 0.9% annually, even when its ambitious demand-side management and efficiency programs are accounted for.[46] The U.S. Energy Information Administration also projects an increase in energy demand of 3-38% by 2050 in low and high economic growth cases, respectively.[47] Incentives to pair energy efficiency (like those in the Company's MEEIA portfolio) and clean energy (economical utility-scale solar in this case) can ensure that utilities meet the coming energy needs with the cleanest, cheapest resources available.[48]

[45] *See* Missouri PSC Docket No. EO-2024-0020, Ameren's 2023 IRP.
[46] *Id*. at Chapter 8 (the Company's MEEIA Cycle 4 plan forecasts greater annual energy savings and annual peak demand savings than MEEIA Cycle 3).
[47] U.S. Energy Information Administration, "U.S. Energy Consumption Increases between 0% and 50% by 2050" (April 3, 2023). Accessed at: https://www.eia.gov/todayinenergy/detail.php?id=56040.
[48] *See* Lazard's "2023 Levelized Cost of Energy, Plus" and Missouri PSC Docket No. EO-2024-0020, Ameren's 2023 IRP for cost comparisons of both subsidized and unsubsidized energy resources.

The fact of the matter is that Staff is skeptical of investments into clean energy projects, and appear to have willfully reviewed this Application in the narrowest of contexts, without considering how the Company's *future* projections may relate to planning that is happening *today*. As all parties to this case well know, beginning commercial operation of a solar project is a process that takes years to complete, from initial project planning, permitting, and interconnection to the project building phase. Were the Company to wait to propose projects of this scale until they were *immediately* needed, it would be far too late, and serious negative impacts to ratepayers would result.

Additionally, as discussed above, both the policy landscape and the market have undergone changes in the past several years that now make investment in clean generation a prudent course of action for the Company, regardless of what was known or agreed to during the negotiation of MEEIA Cycle 2 in 2016 – now seven years past.

Q. Should the Company continue to access the MEEIA EO if this Application is approved?

A. Yes, it is appropriate to continue to reward the Company for pursuing its current and future MEEIA portfolios. The Missouri Legislature has deemed that it is the policy of the state to value demand-side investments on par with supply side investments,[49] and has established the goal of achieving "all cost-effective demand-side savings."[50] Energy efficiency is a tool that relieves stress on the grid by reducing demand – and requisite transmission needs – and therefore, delivers benefits to ratepayers in the forms of reliability and avoided investment costs. Furthermore, as pointed out in the Company's 2023 IRP, disruptions to

[49]Section ("§") 393.1075.3, RSMo. (2009) (stating, "It shall be the policy of the state to value demand-side investments equal to traditional investments in supply and delivery infrastructure and allow recovery of all reasonable and prudent costs of delivering cost-effective demand-side programs").
[50] § 393.1075.4, RSMo.

and/or uncertainty surrounding MEEIA funding render these measures less effective, in part for the obvious reasons that gaps in program availability can result in additional costs for reinitiating a given project or introduce otherwise-avoidable delays in implementation.[51]

V. CONCLUSION

Q. What is your recommendation to the Commission in this CCN application?

A. The Commission should permit the proposed Projects to move forward by granting the Company the CCN requested, without (a) imposing a draconian double standard for proof of project need or (b) placing a moratorium on the MEEIA EO as conditions of project approval. With the Commission's approval, the Projects will support the Company's transition to clean energy resources and serve the public interest by bringing meaningful benefits both to customers and to host communities.

Q. Does this conclude your cross-surrebuttal testimony?

A. Yes.

[51] *See* Missouri PSC Docket No. EO-2024-0020, Ch. 8, pp. 6-7. (In particular, note Sec. 8.2, "Review of Past and Current MEEIA Plans" and Fig. 8.3, "Ameren Missouri DSM Annual Net Load Reductions and Budgets").

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 Certificates of Convenience and Necessity for Solar Facilities.	)))	File No. EA-2023-0286

AFFIDAVIT OF EMILY PIONTEK

STATE OF MISSOURI)
) ss
COUNTY OF BOONE)

COMES NOW, Emily Piontek, of lawful age and being first duly sworn on her oath, and states the following:

1. My name is Emily Piontek. I work in the City of Columbia, County of Boone, State of Missouri, and I am employed by Renew Missouri Advocates ("Renew Missouri") as Managing Director and Policy Coordinator.

2. Attached hereto and made a part hereof for all purposes is my Surrebuttal Testimony on behalf of Renew Missouri, which has been prepared in written form for introduction into evidence in the above-referenced docket before the Missouri Public Service Commission.

3. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded are true and correct.

Emily Piontek

Subscribed and sworn before me this 9th day of November, 2023.

Notary Public - James M. Owen

My commission expires: 8-16-27

JAMES M. OWEN
Notary Public - Notary Seal
STATE OF MISSOURI
Boone County
My Commission Expires: August 16, 2027
Commission #15637358