

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its Office
in Jefferson City, Missouri on
the 10th day of January, 2024.

In the Matter of the Petition of Union Electric)
Company d/b/a Ameren Missouri for a)
Financing Order Authorizing the Issue of)
Securitized Utility Tariff Bonds for Energy)
Transition Costs related to Rush Island)
Energy Center)

File No. EF-2024-0021

ORDER DENYING MARK KREBS' APPLICATION TO INTERVENE

Issue Date: January 10, 2024

Effective Date: January 10, 2024

On November 21, 2023, Union Electric Company d/b/a Ameren Missouri submitted a petition for a financing order, seeking authority to issue securitized utility tariff bonds for Energy Transition Costs and associated Financing Costs related to the early retirement of its Rush Island Energy Center. The Commission issued an order directing notice, and setting a deadline of December 15, 2023, for requests to intervene.

On December 15, 2023, Mark Krebs filed an application to intervene. Ameren Missouri filed a pleading opposing Mr. Krebs' application to intervene on December 24, 2023. Ameren Missouri asserts that Mr. Krebs' application to intervene fails to satisfy the requirements of Commission Rule 20 CSR 4240-2.075. Specifically, Ameren Missouri argues that Mr. Krebs does not establish that he has an interest that is different from the interests of the general public and that allowing his intervention would not serve the public interest.

On January 4, 2024, Mr. Krebs filed a reply to Ameren Missouri's response. Mr. Krebs argues that he has an interest that is different than the general public in that he has

argued against efforts to dispense with gas and coal as fuel sources for energy production. Mr. Krebs indicates that he is concerned with reliability, costs, and an over-reliance of renewable energy. Mr. Krebs states that he is no different than Environmental groups like the Sierra Club and the Environmental Defense Fund.¹ Mr. Krebs states that the difference between him and other Environmental groups is that those organizations have relatively unlimited financial resources.

Applications to intervene are governed by Commission Rule 20 CSR 4240-2.075, which states in relevant part:

(3) The commission may grant a motion to intervene or add new member(s) if—

(A) The proposed intervenor or new member(s) 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

(B) Granting the proposed intervention would serve the public interest.

Mr. Krebs states that he has been a residential customer of Ameren Missouri for almost three decades, that he is recently retired, that he is on a fixed income, and that he is visually handicapped. He also states that he is a principle with MasterResource, a 501(c)(3) organization advocating free market energy policies. Mr. Krebs states he is also a principle of Gas Analytics & Advisory Services, a consumer-focused consulting start-up. Mr. Krebs states that the Commission's duty to serve public interests would be advanced by granting his motion to intervene.

However, Mr. Krebs is not asking to intervene on behalf of either MasterResource or Gas Analytics & Advisory Services, whose interventions would require an attorney to

¹ The Environmental Defense Fund has not requested intervention in this file.

enter on their behalf. Mr. Krebs is asking to intervene as a ratepayer with a particular interest in gas and coal fuel sources.

The Commission does not find that Mr. Krebs has an interest different than the general public that may be adversely affected. The Commission may grant intervention if the intervenor has an interest which is different from that of the general public. Having an interest as a customer that may be different from the interests of some other customers does not indicate an interest different from the general public. Mr. Krebs personal situation and concerns are the same as comments made at Ameren Missouri's local public hearings in its most recent rate case, File No. ER-2022-0337.

Mr. Krebs' application states: "The Commission's duty to serve public interests would be advanced by granting this motion to intervene." But, Mr. Krebs does not explain how the public interest is served. The Commission does not find that Mr. Krebs' intervention would serve the public interest. Allowing Mr. Krebs to intervene would add a party whose interest is not different from the general public and is already adequately represented in this case by other parties.

This case does not establish regulatory policy, and any order in this case would not be binding on this or any future Commission when making decisions about future securitizations. There are a sufficient number of experienced parties in this case to ensure a complete record from which the Commission can make a decision. As a result, the public interest would not be served by allowing Mr. Krebs to be granted party status in this securitization case.

Mr. Krebs does not have an interest different from the general public and his intervention does not serve the public interest. Therefore, Commission Rule 20 CSR 4240-2.075(3) does not justify allowing Mr. Krebs to intervene.

The Commission will deny Mr. Krebs' application to intervene.

THE COMMISSION ORDERS THAT:

1. Mark Krebs' application to intervene is denied.
2. This order shall be effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Rupp, Chm., Coleman, Holsman, Kolkmeier
and Hahn CC., concur.

Clark, 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 10th day of January 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

January 10, 2024

File/Case No. EF-2024-0021

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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 black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

**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.