

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

In the Matter of the Union Electric Company)	
d/b/a Ameren Missouri's 4 th Filing to)	
Implement Regulatory Changes in Furtherance)	Case No. EO-2023-0136
of Energy Efficiency as Allowed by MEEIA)	

**APPLICATION TO INTERVENE OUT OF TIME
OF ENERWISE GLOBAL TECHNOLOGIES, LLC
D/B/A CPOWER**

COMES NOW Enerwise Global Technologies, LLC d/b/a CPower, ("CPower"), by and through its undersigned counsel, pursuant to Commission Rule 4 CSR 4240-2.075, and respectfully files its Application to Intervene in this matter. In support of this Application, CPower states as follows:

1. On March 27, 2023, pursuant to section 393.1075, RSMo., the Missouri Energy Efficiency Investment Act ("MEEIA"), Ameren Missouri filed its application seeking approval of a Demand-Side Investment Mechanism ("DSIM") and a Demand-Side Management Portfolio and Plan, to be effective during the period January 1, 2024, through December 31, 2026 (the "MEEIA 4 Plan").
2. On March 31, 2023, the Commission issued its "Order Directing Notice of Application and Establishing Intervention Filing Date." That Order provided that applications to intervene shall be filed no later than April 11, 2023.
3. CPower is a leading provider of distributed energy resource load management services in Pennsylvania and throughout the United States. It is the largest demand response, distributed energy resource, and virtual power plant aggregator in the U.S., with 6.7GW of resources under management from 27,000 sites.

4. Correspondence, communications, orders, and the decision in this matter should be addressed to:

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5. On March 31, 2010, in Case No. EW-2010-0187, the Commission issued its “Order Temporarily Prohibiting the Operation of Aggregators of Retail Customers [ARCs]” (“2010 Order”).

6. On October 12, 2023, in Case No. EW-2021-0267, the Commission issued its “Order Partially Modifying the Commission’s 2010 Order Regarding ARCs” (“2023 Order”). In the 2023 Order, the Commission modified the 2010 Order “to allow C&I customers of Commission-jurisdictional electric utilities with demands of 100 kilowatts (kW) or greater to transfer demand response load reductions to RTO markets directly or through third-party ARCs under the specific

conditions described in this order.” The 2023 Order became effective on January 1, 2024.¹

CPower participated in that case.

7. CPower seeks permission to intervene in this matter pursuant to 4 CSR 240-2.075.

Under 4 CSR 240-2.075(10) the Commission is authorized to grant this Application to Intervene after the April 11, 2023, intervention date, “upon a showing of good cause.”

8. Prior to January 1, 2024, ARCs were prohibited in Missouri pursuant to the 2010 Order. As a result, when Ameren filed its MEEIA application on March 27, 2023, CPower had no relevant interest on which to intervene in this case. However, after the 2023 Order became effective on January 1, 2024, CPower now has a business interest in the Missouri market.

9. CPower has an interest that is different from that of the general public in that it can now participate in the Missouri market, competing with Ameren’s demand-side programs and plans being considered in this MEEIA case. As such, CPower has direct and immediate interests in this proceeding that are not currently represented in this matter.

10. Given CPower’s vast experience as the largest demand-side aggregator in the U.S., granting intervention to CPower would serve the public interest by allowing CPower’s experience, interests, and insight to be a part of the MEEIA process.

11. CPower hereby affirmatively accepts the record established in this case, including the requirements of all orders of the Commission, as of the date this Application to Intervene is filed.

12. No party will be prejudiced by the Commission granting this Application to Intervene. The first round of testimony is not due until February 21, 2024, and the evidentiary

¹ Evergy filed a motion for clarification of the 2023 Order on November 7, 2023. The Commission issued an Order on November 13, 2023, setting time for responses to Evergy’s motion, with responses due on November 27, 2023. On November 29, 2023, the Commission issued another Order that extended the effective date of the 2023 Order to January 1, 2024.

hearing is scheduled for June 4-7, 2024. CPower affirmatively accepts and agrees to abide by the procedural schedule in this case.

13. CPower does not have a position at this time in this case but reserves the right to take positions on specific issues as this case proceeds.

WHEREFORE, CPower respectfully requests that the Commission grant its Application to Intervene on its behalf and on behalf of its members, entitling it to fully participate in this proceeding.

Respectfully submitted,

HEALY LAW OFFICES, LLC

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Dated: January 31, 2024

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties on the official service list for this case on this 31st day of January, 2024.

/s/ Terry M. Jarrett

Terry M. Jarrett