

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri’s Request for a Variance) **File No. EE-2022-0192**
Regarding Timing of Notice of Change in)
Preferred Resource Plan)

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission, through counsel, and files its *Staff Recommendation* regarding Ameren Missouri’s application seeking a variance from the timing of filings required by 20 CSR 4240-22.080(12).

Staff states as follows:

1. On January 20, 2022 Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) filed an application requesting a variance from the Commission’s Integrated Resource Planning (“IRP”) rule in 20 CSR 4240-22. Ameren Missouri is requesting to delay from February 9, 2022, to July 15, 2022, the filing that is required under 20 CSR 4240-22.080(12) which states:

If, between triennial compliance filings, the utility's business plan or acquisition strategy becomes materially inconsistent with the preferred resource plan, or if the utility determines that the preferred resource plan or acquisition strategy is no longer appropriate, either due to the limits identified pursuant to 4 CSR 240-22.070(2) being exceeded or for other reasons, the utility, in writing, shall notify the commission within sixty (60) days of the utility's determination and shall serve notice on all parties to the most recent triennial compliance filing.

In particular, Ameren Missouri needs the additional time due to the Federal Eastern District Court of Missouri ruling concerning pollution control equipment installed at their Rush Island facility.

2. On January 20, 2022, the Commission ordered Staff to file a recommendation by February 4, 2022.

3. Staff reviewed Ameren Missouri's request and recommends that the variance be granted. In its application, Ameren Missouri indicates that regardless of the Eastern District court's decision, significant analysis will be needed concerning the impact on the IRP after the decision is made. Staff agrees with this assessment.

4. Staff does not oppose Ameren Missouri's request for a variance of the 60-day notice requirement.

WHEREFORE, Staff recommends that the Commission grant Ameren Missouri's requested variance from a provision of 20 CSR 4240-22.080(12).

Respectfully submitted,

/s/ Ron Irving

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been electronically mailed to all parties and/or counsel of record on this 4th day of February, 2022.

/s/ Ron Irving