

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at the Commission's office in Jefferson City on the 10th day of April, 2024.

In the Matter of the Application of Ameren)
Transmission Company of Illinois for a)
Certificate of Convenience and Necessity) **File No. EA-2024-0147**
Under Section 393.170.1, RSMo, Relating)
to Transmission Investments in Northeast)
Missouri)

**ORDER GRANTING CERTIFICATE OF
CONVENIENCE AND NECESSITY**

Issue Date: April 10, 2024

Effective Date: May 10, 2024

On February 2, 2024, Ameren Transmission Company of Illinois (ATXI) filed an application with the Commission seeking an order granting a certificate of convenience and necessity (CCN) pursuant to Section 393.170.1, RSMo. The CCN would authorize ATXI to construct, install, own, operate, maintain, and otherwise control a new 345 kV switchyard and associated facilities (known as the "Fabius Switchyard") in Knox County, Missouri.

The Fabius Switchyard will be located along the existing Maywood-Zachary 345 kV transmission line and will be constructed on ATXI-owned land. The purpose of the switchyard is to interconnect a 290 MW wind project in northeast Missouri being developed by ATXI's interconnecting customer, Northeast Missouri Wind, LLC (NEMO Wind).

The Commission directed notice of the application and established an intervention deadline. Renew Missouri Advocates d/b/a Renew Missouri applied to intervene in the case, and the Commission granted their application.

On March 19, 2024, the Staff of the Commission (Staff) recommended that the Commission grant ATXI's application for the Fabius Switchyard. No objections to Staff's recommendation have been received, and the time for response has expired.¹

ATXI is an "electrical corporation" and a "public utility" as defined in Subsections 386.020(15) and (43), RSMo (2016). The Commission may grant an electric corporation a CCN to operate after determining that the operation is "necessary or convenient for the public service."² The Commission articulated criteria (known as the "Tartan criteria")³ to be used when evaluating applications for utility certificates of convenience and necessity in *In Re Intercon Gas, Inc.*⁴

The *Intercon* case combined the standards used in several similar certificate cases, and set forth the following criteria: (1) there must be a need for the service; (2) the applicant must be qualified to provide the proposed service; (3) the applicant must have the financial ability to provide the service; (4) the applicant's proposal must be economically feasible; and (5) the service must promote the public interest.

Staff advises that ATXI's application satisfies these criteria. The Fabius Switchyard is needed in order to transfer the wind-generated power from NEMO Wind to the

¹ Commission Rule 20 CSR 4240-2.080(13) allows parties ten days to respond to pleadings unless otherwise ordered by the Commission. Any hearing requirement is met when the opportunity for hearing is provided and an evidentiary hearing is not requested by a proper party. *State ex rel. Deffenderfer Enters., Inc. v. Pub. Serv. Comm'n*, 776 S.W.2d 494, 496 (Mo. App. W.D. 1989).

² Section 393.170.3, RSMo (Supp. 2023).

³ See Report and Order, *In re Application of Tartan Energy Company, L.C., d/b/a Southern Missouri Gas Company, for a Certificate of Convenience and Necessity*, Case No. GA-94-127, 3 Mo. P.S.C. 3d 173 (September 16, 1994).

⁴ 30 Mo P.S.C. (N.S.) 554, 561 (1991).

transmission system of the Midcontinent Independent System Operator (MISO). ATXI is qualified to operate the switchyard and has an established record of constructing, owning, operating, and maintaining transmission projects.

ATXI is wholly owned by Ameren Corporation and has the financial ability to provide the service, with plans to initially fund the project using funds from ATXI's treasury. Subsequently, the cost of the land and 90% of the switchyard cost will be covered by NEMO Wind. Therefore, Staff concludes that the project is economically feasible.

The Commission finds that the Fabius Switchyard is an economically feasible proposal provided by a qualified company that has the financial ability to provide the service. The service is needed and promotes the public interest by transferring wind-generated power to MISO's transmission system. Thus, the Commission will grant the CCN.

THE COMMISSION ORDERS THAT:

1. ATXI is granted a certificate of convenience and necessity to construct, install, own, operate, maintain, and otherwise control the Fabius Switchyard.

2. This order shall become effective on May 10, 2024.
3. This file shall close on May 11, 2024.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

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

Seyer, 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 April 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 10, 2024

File/Case No. EA-2024-0147

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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.