

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

In the Matter of the Compliance of Union Electric )  
Company, doing Business as Ameren Missouri, )  
With Certain Requirements related to SB 564 ) **Case No. EO-2019-**  
And Related Matters )

**STAFF’S MOTION TO OPEN DOCKET**

**COMES NOW** the Staff of the Missouri Public Service Commission and for its *Motion to Open Docket*, states herein as follows:

***Introduction:***

1. This case concerns the compliance of Union Electric Company, doing business as Ameren Missouri (“Ameren Missouri”), with certain requirements related to Senate Bill 564, particularly § 393.1400.4, RSMo. Supp. 2018,<sup>1</sup> § 393.1650, and related matters.

***Parties:***

2. Movant is the Staff of the Missouri Public Service Commission, acting through the Chief Staff Counsel as authorized by Commission Rules 4 CSR 240-2.040(1) and 4 CSR 240-2.070(1).

3. Union Electric Company, d/b/a Ameren Missouri, is a wholly-owned subsidiary of Ameren Corporation, a publicly-traded utility holding company. Pursuant to the Missouri Secretary of State’s website, Ameren Missouri’s principal place of business is One Ameren Plaza, 1901 Chouteau Avenue, St. Louis, Missouri 63103.

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<sup>1</sup> All statutory references, unless otherwise specified, are to the Revised Statutes of Missouri (“RSMo.”), as currently amended and effective.

Ameren Missouri's registered agent is CT Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

***Jurisdiction:***

4. Ameren Missouri is in the business of generating, transmitting and distributing electricity to customers for light, heat and power. Ameren Missouri is thus an "electric corporation" and a "public utility" as defined in § 386.020, (15) and (43), RSMo., and is subject to the regulatory jurisdiction of this Commission under chapters 386 and 393, RSMo.

5. The Commission has jurisdiction over the subject matter of this *Motion* because it involves Ameren Missouri's obligations under statutes administered by the Commission, as more particularly explained below.

***Repository for Letters Received By Staff***

6. Staff requests that the Commission open this docket to serve as a repository for certain letters received by Staff from Ameren Missouri concerning the application of various provisions of SB 564.

***Compliance with § 393.1650.2, RSMo. Supp. 2018:***

7. Section 393.1650, effective August 28, 2018, requires an electrical corporation with more than one million Missouri retail electric customers in the year in which the section becomes effective to develop a qualification process and make such process open to all contractors seeking to provide construction and construction-related services for projects on the electrical corporation's distribution system; the statute provides further that contractors that meet the eligibility requirements set by the electrical corporation shall be eligible to participate in a competitive bidding process for

providing construction and construction-related services for distribution system projects, and the contractor making the lowest and best bid shall be awarded such contract.

8. On information and belief, Ameren Missouri has more than one million Missouri retail electric customers in the year 2018 and is thus subject to § 393.1650.

9. Section 393.1650.3 requires that, within thirty days after August 28, 2018, electrical corporations shall file a verified statement with the Commission confirming that they have established a qualification process for the competitive bidding of construction and construction-related services for distribution system projects, and that such process conforms to the requirements of this section.

10. Staff requests that the Commission open this docket to serve as a repository for the verified statement required by § 393.1650.3 and for any proceedings related to such verified statements.

11. Additionally, § 393.1650.3 requires that an electrical corporation shall submit concurrently with the submission of rate schedules that initiate a general rate proceeding, a verified statement confirming that it is using the qualification process for the competitive bidding of construction and construction-related services for distribution system projects required by this section for no less than ten percent of the combined external installation expenditures made by the electrical corporation's operating units in Missouri for construction and construction-related services for distribution system projects, and that such process conforms with the requirements set forth in this section to ensure compliance with this subsection.

12. Staff requests that the Commission open this docket to serve as a repository for the verified statement required by § 393.1650.3 and for any proceedings related to such verified statements.

13. Additionally, § 393.1650.5 requires that by December 31, 2020, and annually thereafter, the Commission shall submit a report to the General Assembly on the effects of this section, including electrical corporation compliance, potential legislative action regarding this section, the costs of constructing distribution system projects prior to the implementation of this section compared to after the implementation of this section, and any other information regarding the processes established under this section that the commission deems necessary.

14. Staff requests that the Commission direct Ameren Missouri to track work orders before and after the effective date of § 393.1650.5 and open this docket to serve as a repository for gathering this information and compiling the report required by § 393.1650.5 and for any proceedings related to such reports.

***Election Pursuant to § 393.1400.5, RSMo. Supp. 2018:***

15. Section 393.1400.2, effective August 28, 2018, allows certain beneficial accounting methods to electrical corporations that elect to file the notice described in § 393.1400.5, “[t]his section shall only apply to any electrical corporation that has filed a notice with the commission of the electrical corporation's election to make the deferrals for which this section provides.”

16. On information and belief, Staff believes that Ameren Missouri intends to make the election referred to above and therefore requests that the Commission open this docket to serve as a repository for the notice required by § 393.1400.5.

***Compliance with Section 393.1400.4, RSMo. Supp. 2018:***

17. In the event that Ameren Missouri indeed elects to file the notice described in § 393.1400.5, it will then be obligated under § 393.1400.4 to “submit to the commission a five-year capital investment plan setting forth the general categories of capital expenditures the electrical corporation will pursue in furtherance of replacing, modernizing, and securing its infrastructure.”

18. In the event that Ameren Missouri makes the election referred to above and must therefore submit a five-year capital investment plan in compliance with § 393.1400.4, Staff requests that the Commission open this docket to serve as a repository for the five-year capital investment plan required by § 393.1400.4 and any related proceedings.

19. Additionally, § 393.1400.4 requires that, within thirty days of the filing of any capital investment plan or annual update to an existing plan, the electrical corporation shall host a public stakeholder meeting to answer questions and receive feedback about the plan and, after feedback is received, the electrical corporation must file a notice with the Commission of any modifications to the capital investment plan it has accepted.

20. In the event that Ameren Missouri makes the election referred to above and must therefore submit a five-year capital investment plan in compliance with § 393.1400.4, Staff requests that the Commission open this docket to serve as a repository for the notice of the public stakeholder meeting, the feedback received at the public stakeholder meeting, and the notice required by § 393.1400.4 of any

modifications to the capital investment plan that the electrical corporation has accepted, and any related proceedings.

21. Additionally, § 393.1400.4 requires that, by February twenty-eighth following each year in which the electrical corporation submits a capital investment plan, the electrical corporation shall submit a report to the Commission detailing actual capital investments made the previous year.

22. In the event that Ameren Missouri makes the election referred to above and must therefore submit a five-year capital investment plan in compliance with § 393.1400.4, Staff requests that the Commission open this docket to serve as a repository for the report to the Commission required by § 393.1400.4, detailing actual capital investments made the previous year, and any related proceedings.

**WHEREFORE**, Staff prays that the Commission will open a docket for the purposes enumerated herein; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

**/s/ Kevin A. Thompson**

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