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# Exhibit No. 211

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Mantle  
Surrebuttal  
File No. EF-2024-0021

**Exhibit No.:**

**Issue(s):**

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**Sponsoring Party:**

**Case No.:**

Compliance Tariff Sheets

Mantle/Surrebuttal

Public Counsel

EF-2024-0021

**SURREBUTTAL TESTIMONY**

**OF**

**LENA M. MANTLE**

Submitted on Behalf of the Office of the Public Counsel

**UNION ELECTRIC COMPANY  
D/B/A AMEREN MISSOURI**

CASE NO. EF-2024-0021

March 22, 2024

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**SURREBUTTAL TESTIMONY**

**OF**

**LENA M. MANTLE, P.E.**

**UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI  
FILE NO. EF-2024-0021**

1 **Q. What are your name and business address?**

2 A. My name is Lena M. Mantle and my business address is P.O. Box 2230, Jefferson  
3 City, Missouri 65102.

4 **Q. By whom are you employed and in what capacity?**

5 A. I am employed by the Missouri Office of the Public Counsel (“OPC”) as a Senior  
6 Analyst.

7 **Q. On whose behalf are you testifying?**

8 A. I am testifying on behalf of the OPC.

9 **Q. Did you file direct or rebuttal testimony in this case?**

10 A. No.

11 **Q. What is your experience, education, and other qualifications?**

12 A. Prior to my employment at the OPC, I worked for the Staff of the Missouri Public  
13 Service Commission (“Staff”) from August 1983 until I retired as Manager of the  
14 Energy Unit in December 2012. During my employment at the Missouri Public  
15 Service Commission (“Commission”), I worked as an Economist, Engineer,  
16 Engineering Supervisor, and Manager of the Energy Unit. Review of tariff sheet  
17 filings was one of the duties that I consistently performed in all of these positions.

18 I began employment at the OPC in my current position as Senior Analyst in  
19 August 2014. In this position, I have provided expert testimony on a variety of  
20 issues in electric, natural gas, and water cases before the Commission on behalf of  
21 the OPC including review of tariff sheets as assigned. I am a Registered  
22 Professional Engineer in the State of Missouri.

23

1 Attached as Schedule LMM-S-1 is a brief summary of my experience with  
2 the OPC and Staff, and a list of the Commission cases I filed testimony in,  
3 Commission rulemakings I participated in, and Commission reports in rate cases that  
4 I contributed to as Staff.

5 **Q. What is the purpose of your surrebuttal testimony?**

6 A. Section 393.1700 requires the Commission to approve compliance tariff sheets. It  
7 just takes a glance at Ameren Missouri's and Staff's proposed securitization  
8 compliance tariff sheets to recognize the complexity and difficulties of developing  
9 securitization compliance tariff sheets.

10 The purpose of my surrebuttal testimony is to: (1) respond to the rebuttal  
11 testimony of Staff witness Sarah L.K. Lange regarding language she proposes be  
12 added to Ameren Missouri's proposed tariff sheets, and (2) to propose two  
13 elements that should be included in Ameren Missouri's compliance tariff sheets.

14 **Q. What is the scope of your intent in your surrebuttal testimony?**

15 A. My intent is only to assist in the development of compliance tariff sheets that are  
16 accurate and clearly describe the securitization charge and how it is calculated.  
17 Unless specifically indicated, discussion of tariff language in this testimony does  
18 not necessarily indicate OPC's agreement with the position described by the tariff  
19 language.

20 **Q. Do Staff's or Ameren Missouri's proposed compliance tariff sheets**  
21 **accurately and clearly describe the securitization charge and how it is to be**  
22 **calculated?**

23 A. No. Therefore, with respect to compliance tariff sheets, I recommend the  
24 Commission proceed as it did in the Liberty securitization case, Case No. EO-  
25 2022-0040. In its financing order in that case, the Commission did not approve a  
26 specific set of compliance tariff sheets, but instead ordered that compliance tariff

1 sheets which conformed to the order be filed.<sup>1</sup> This gave Liberty, Staff, and OPC  
2 time to agree to compliance tariff sheets that met the specifics of the order. A  
3 similar order in this case would allow the parties to combine the best parts of the  
4 tariff sheets proposed by Ameren Missouri and Staff while including the specifics  
5 of the Commission’s financing order.

6 **Q. What are the elements you recommend the Commission order be included in**  
7 **the final compliance tariff sheets?**

8 A. In addition to the compliance requirements and rate calculation information, I  
9 recommend the Commission order the tariff sheets include the following:

- 10 1) the line item on the customers’ bills to be titled, “Rush Island Plant  
11 Retirement Cost,” and  
12 2) the securitization rate be rounded to the nearest \$0.00001.

13 I discuss the reasons for these recommends later in this testimony.

14 **Staff’s Proposed Additional Language**

15 **Q. Do you have concerns with the tariff language Ms. Lange proposes in her**  
16 **rebuttal testimony as to the applicability of the securitization surcharge to**  
17 **customers affected by territorial agreements?**

18 A. Yes. I recommend two changes to clarify Ms. Lange’s proposed language  
19 requiring the application of the securitization charge to new Ameren Missouri  
20 customers acquired through new territorial agreements.<sup>2</sup> Absent from Ms.  
21 Lange’s proposed language is what occurs when new customers are acquired  
22 through modification of existing territorial agreements. While Ms. Lange may be  
23 assuming that the charge would be applied to these customers, her proposed  
24 language does not make that outcome clear.

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<sup>1</sup> *Order Nunc Pro Tunc*, page 125.

<sup>2</sup> Ms. Lange is proposing the same language that can be found in both the Evergy Missouri West, Inc. (“Evergy West”) and the Empire District Electric Company d/b/a Liberty (“Liberty”) securitization compliance tariff sheets.

1           To make it clear that the securitization charge would also be applicable to  
2 customers acquired through the modification of current territorial agreements I  
3 propose the following change to the language proposed by Ms. Lange with the  
4 addition of the underlined language.

5           Rider SUR will be applicable to customers newly served by the Company  
6 due to organic growth within its existing service territory or expansion of  
7 the Company’s service territory by way of a new certificate of  
8 convenience and necessity or a new or modified territorial agreement.  
9 Rider SUR will not apply to customers in other utility jurisdictions merged  
10 with, or acquired by, the Company after this rider’s initial effective date.

11           In addition, the following sentence Ms. Lange is proposing is confusing.

12           Charges as described in Rider SUR will continue to be applicable to any  
13 customers (new or existing) currently served by the Company, but  
14 subsequently served by some other electric service provider as a result of a  
15 territorial agreement or modification of a territorial agreement, whether  
16 the other electric service provider is regulated by this Commission or  
17 exempted from regulation by this Commission by any current or future  
18 law.

19           The phrase “(new or existing) currently served by the Company” is confusing  
20 since a customer served by the Company is an existing customer.

21           What I believe this sentence is trying to say<sup>3</sup> is that, regardless of whether  
22 a customer was served by Ameren Missouri when securitization was approved,  
23 any customer that is served by Ameren Missouri and then subsequently is served  
24 by a different provider because of a new territorial agreement or the modification  
25 of an existing territorial agreement, will still be charged the securitization fee  
26 regardless of the whether the customer’s new service provider is regulated by the  
27 Commission. I propose the sentence be changed as follows:

28           Charges as described in Rider SUR will continue to be applicable to any  
29 customers ~~(new or existing) currently~~ served by the Company, ~~but who are~~  
30 subsequently served by a different electric provider as a result of a  
31 territorial agreement or modification of a territorial agreement, regardless  
32 of whether the other electric service provider is regulated by this

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<sup>3</sup> The fact that I cannot determine for certain shows that the language is not clear.

1 Commission or exempted from regulation by this Commission by any  
2 current or future law.

3 **Additional Requirements for Compliance Tariff Sheets**

4 **Q. Why are you recommending the Commission require the tariff sheets to**  
5 **explicitly require the securitization charge line item on the customers' bills to**  
6 **be titled, "Rush Island Plant Retirement Cost"?**

7 A. Both Staff's and Ameren Missouri's proposed tariff sheets<sup>4</sup> include language that  
8 the securitization charge be presented on customers' bills as a separate line item.  
9 If the title of the line item is not specified in the tariff sheets, it could be titled  
10 "SUR Charge" or something else just as confusing that has no meaning to  
11 customers. It would become just another surcharge on their bill that customers do  
12 not understand. By specifying a consistent title that the customers will see on  
13 their bills for as long as securitization lasts, customers can at least know that they  
14 are paying for a plant that has been retired.

15 **Q. Do the approved Evergy West and Liberty securitization tariff sheets specify**  
16 **labels for the securitization charge line on their customers' bills?**

17 A. The label for Evergy West's securitization charge is not specified in its  
18 compliance tariff sheets. Liberty's securitization Tariff Sheet No. 26 specifies  
19 that the securitization charge line item on the customers' bills be labeled  
20 "February 2021 Storm and Asbury Costs." Identifying the charge to what it is for  
21 better informs customers, consistent with legislative intent, and is a better  
22 practice.

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<sup>4</sup> Staff witness Sarah Lange Rebuttal testimony, Schedule SLKL d-2, page 1 of 4; Ameren Missouri witness Steven M. Wills Direct testimony, Schedule SMW-D1.

1 **Q. Why should what decimal point the securitization rate is rounded to be**  
2 **included in the securitization tariff sheets?**

3 A. By requiring the rounding of the rate to the fifth decimal point provided on the  
4 tariff sheets, customers should be able to duplicate this charge if they check the  
5 calculation of their bill. Absent this requirement, there could be a difference,  
6 albeit small, in what the customer calculates based on the tariff sheet and what is  
7 calculated by a computer system that can carry the rate out for several more  
8 decimal places.

9 **Q. If this is a rounding down, could this result in Ameren Missouri not**  
10 **recovering the Annual Payment Requirement?**

11 A. Yes. It is equally likely that it will result in Ameren Missouri recovering more  
12 than the Annual Payment Requirement. However, there is a true-up for each year  
13 that will make sure that the Annual Payment Requirement, no more and no less,  
14 will be recovered from customers.

15 **Q. Is this requirement found in any other Ameren Missouri tariff sheets?**

16 A. Yes. Ameren Missouri's fuel adjustment clause ("FAC") tariff sheets require the  
17 fuel adjustment rate to be rounded to the nearest \$0.00001.

18 **Q. Does this conclude your surrebuttal testimony?**

19 A. Yes, it does.

