

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

In the Matter of the Application of Union Electric)
Company d/b/a Ameren Missouri for Certificates of) File No. EA-2023-0286
Convenience and Necessity for Solar Facilities.)

**NOTICE THAT CONDITION PRECEDENT TO ISSUANCE OF CCN FOR
THE CASS COUNTY PROJECT HAS BEEN SATISFIED
AND REQUEST FOR CCN**

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Company" or "Ameren Missouri"), and pursuant to the Commission's *Order Approving Stipulation and Agreement and Granting Certificates of Convenience and Necessity* ("Order") issued in this docket on March 21, 2024, hereby notifies the Commission that the condition precedent specified in ¶ 6 of the Stipulation and Agreement ("Stipulation") approved in the Order has been satisfied, and hereby requests that the Commission now issue a certificate and convenience and necessity ("CCN") under subsection 1 of Section 393.170 as agreed upon and contemplated by ¶ 7 of the Stipulation. With respect to this notice and request, Ameren Missouri states as follows:

1. The Order approved CCNs for three solar facilities, subject to certain conditions. The Company's Application in this docket also requested a CCN for a fourth facility, the Cass County Project. The Stipulation approved by the Order reflected the signatories' agreement that a CCN for the Cass County Project would not be issued unless a condition, reflected in ¶ 6 of the Stipulation, was satisfied. The Stipulation further provided that if such condition was satisfied, the signatories agreed that a CCN for the Cass County Project should be issued.

2. In approving the Stipulation, the Commission in the Order stated "if the condition precedent in paragraph 6 of the Agreement is satisfied, the Agreement and application support a finding that the Tartan criteria have been met with regard to the Cass County Project and a CCN should be granted subject to the conditions set out in paragraph 5 of the Agreement." Order, p. 4. The Commission went on to direct Ameren Missouri to notify the Commission when it satisfied the

condition (which the Company is doing via this notice) and stated that the Commission would “at that time seek a recommendation as to whether the Cass County Project CCN is ready to be granted.” *Id.*

3. As required by the Stipulation, on May 14, 2024, the Company conducted an auction seeking subscriptions to the Cass County Project as a Renewable Solutions Program resource with an opening round offering subscriptions to the Project at a first year Renewable Resource Rate of \$9.50 per kilowatt and at a first year Renewable Benefits Rate of \$0.04 per kilowatt-hour. See Exhibit A attached hereto and incorporated herein by reference, which is the Bill Estimator provided to all auction participants prior to their submission of bids, reflecting a year one (and escalating) Renewable Resource Rate of \$9.50 per kilowatt and a year one (and escalating) Renewable Benefits Rate of \$0.04 per kilowatt-hour. That auction process resulted in Renewable Solutions Program subscriptions for the entire 150-megawatt capacity of the Cass County Project at a year one Renewable Resource Rate that was in excess of \$9.50 per kilowatt and at a year one Renewable Benefits Rate of \$0.04 per kilowatt-hour. See Confidential Exhibit B hereto,¹ which details the final sealed-bid round auction participants, the year one Renewable Resource Rates that were bid by each participant, the year one Renewable Resource Rate at which the auction cleared, and the awarded subscription quantities, which total 150 megawatts. Finally, Exhibit A demonstrates that the rates on Exhibit B to the Stipulation, but starting at the higher auction clearing price and escalated from there, will be used after the first year. Also attached as Confidential Exhibit C² are the Binding Bid Agreements for all of the subscribers who have subscribed to the 150 megawatts.

4. Having satisfied the condition in ¶ 6 of the Stipulation, the Company requests that a CCN for the Cass County Project, subject to the conditions in ¶ 5 of the Stipulation, be issued by June 19, 2024. The June 19, 2024 date is requested to allow sufficient time to make final closing

¹ Exhibit B is confidential because it contains customer-specific information and because it contains market specific information on the clearing price. 20 CSR 4240-2.135(2)(A)1, 2.

² Exhibit C is confidential because it contains customer-specific information. 20 CSR 4240-2.135(2)(A)1.

arrangements for the acquisition of the Cass County Project from the developer, Savion, LLC, pursuant to the Purchase and Sale Agreement (Schedule SW-D4) to Company witness Wibbenmeyer's direct testimony, the terms of which require that the purchase be closed by June 30, 2024 (so, practically speaking, by June 28, 2024, the last business day before the closing date).

WHEREFORE, Ameren Missouri requests that the Commission issue a CCN, under subsection 1 of Section 393.170, subject to the conditions in ¶ 5 of the Stipulation, for the Cass County Project and that it do so no later than June 19, 2024.

Respectfully Submitted,

/s/ James B. Lowery

James B. Lowery, Mo. Bar #40503
JBL LAW, LLC
9020 S. Barry Rd.
Columbia, MO 65201
Telephone: 573-476-0050
E-Mail: lowery@jblawllc.com

/s/ Wendy K. Tatro

Wendy K. Tatro, #60261
Director & Assistant General Counsel
Ameren Missouri
1901 Chouteau Avenue, MC 1310
St. Louis, MO 63103
(314) 554-3484 (phone)
(314) 554-4014 (fax)
AmerenMOService@ameren.com

**ATTORNEYS FOR UNION ELECTRIC
COMPANY d/b/a AMEREN
MISSOURI**

VERIFICATION

The undersigned, being first duly sworn and upon his oath, hereby states that the foregoing Notice and Request is true and correct to the best of his knowledge, information, and belief.

Steven M. Wills

Steven M. Wills,
Sr. Director, Regulatory Affairs
Union Electric Company d/b/a Ameren Missouri

CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing was served on all parties of record via electronic mail (e-mail) on this 16th day of May, 2024.

/s/ Wendy K. Tatro