

**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 Permission and Approval and)
Certificates of Public Convenience and Necessity Authorizing)
It to Construct Renewable Generation Facilities)
File No. EA-2023-0286

**STAFF’S RECOMMENDATION CONCERNING SATISFACTION
OF CONDITION PRECEDENT FOR CASS COUNTY PROJECT CCN**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through counsel, and provides the Commission with its recommendation as to whether Ameren Missouri has satisfied the condition precedent set out in the Commission’s March 21, 2024, order and as to whether the Commission should grant Ameren Missouri a Certificate of Convenience and Necessity (“CCN”) for the Cass County Project.

On March 21, 2024,¹ the Commission issued its Order Approving Stipulation and Agreement and Granting Certificates of Convenience and Necessity (“Order”). The Order granted a CCN for three solar generation facilities which Ameren Missouri had requested, but deferred approval of a CCN for a 150 megawatt solar generation facility to be constructed in Cass County, Illinois unless and until Ameren Missouri had satisfied a condition precedent which the Stipulation and Agreement had set out. On May 16, Ameren Missouri Filed a Notice that Condition Precedent to Issuance of CCN for the Cass County Project Has Been Satisfied and Request for CCN. The Notice stated that Ameren Missouri had satisfied the condition precedent and asked the Commission to issue an order granting a CCN for the Cass County Project by June 19. On May 17, the Commission issued its order requiring Staff to file a recommendation no

¹ All date references will be to 2024 unless otherwise indicated.

later than May 30. After subsequent communications between Staff and Ameren Missouri and on Staff's suggestion, Ameren Missouri then filed a Notice of Additional Submission of Additional Information Requested by the Commission's Staff on May 21. This submission contained, as Schedule 1, an updated Exhibit B to the Stipulation and Agreement, purporting to reflect "the Renewable Resource Rates and Renewable Benefits Rates for all 15 years of the subscriptions, using the higher auction-cleared first year Renewable Resource Rate and the unchanged first year Renewable Benefits Rate to derive the year two through 15 rates."

The Stipulation and Agreement which the Commission approved and incorporated into its March 21 Order stated at Paragraph 6:

The Signatories agree that a CCN for the Cass County Project should not be granted unless and until the following condition precedent is satisfied: An auction process seeking subscriptions to the Cass County Project as a Renewable Solutions Program resource and offering subscriptions to the Cass County Project at a first year Renewable Resource Rate of \$9.50 per kilowatt ("kW") and at a first year Renewable Benefits Rate of \$0.04 per kilowatt-hour ("kWh") shall be completed, resulting in Renewable Solutions Program subscriptions for the entire capacity of the Cass County Project at a Renewable Resource Rate of no less than that stated above and at a Renewable Benefits Rate of no more than that stated above. The workpaper attached hereto as Exhibit B shall be used to determine Renewable Resource Rates and Renewable Benefit Credits after the first year by increasing the first year Renewable Resource Rate and/or decreasing the first year Renewable Benefits rate in accordance with the auction results.

The Stipulation and Agreement stated at Paragraph 7:

Should the condition precedent in paragraph 6 be satisfied, the Signatories agree that the Commission should at that time grant Ameren Missouri a certificate of convenience and necessity under subsection 1 of Section 393.170 authorizing Ameren Missouri to construct, install, own, operate, maintain, and otherwise control and manage the Cass County Project, including authorizing Ameren Missouri to engage in the transactions by which it will construct and finance the Cass County Project pursuant to the Purchase and Sale Agreement ("PSA") with Savion, LLC. The Signatories further agree that such a CCN for the Cass County Project should be made subject to the conditions provided for in paragraph 5 of this Agreement.

The conditions which the Stipulation and Agreement set out in “paragraph 5” apply to the CCNs which the Commission granted for the Split Rail Project, the Vandalia Project, and the Boling Green Project.

Staff has reviewed the Ameren Missouri filings of May 17 and May 21. Based upon its review, Staff concludes that Ameren Missouri has satisfied the condition precedent set out in Paragraph 6 of the Stipulation and Agreement which the Commission approved, adopted and ordered on March 21. Staff recommends, accordingly, that the Commission enter such orders as it deems appropriate stating that Ameren Missouri has satisfied the condition precedent; and recommends that the Commission issue a CCN for the Cass County Project in accordance with the requirements of its March 21 Order.

WHEREFORE, Staff prays that the Commission will accept this recommendation as compliant with its Orders.

Respectively Submitted,

/s/ Paul T. Graham

Paul T. Graham #30416
Senior Staff Counsel
P.O. Box 360
Jefferson City, Mo 65102-0360
(573) 522-8459
Paul.graham@psc.mo.gov

Attorneys for the Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 23rd day of May, 2024.

/s/ Paul T. Graham