

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

Missouri Coalition for Fair Competition and Corey Malone,)		
)		
Complainants,)		
v.)	File No.	EC-2023-0037
)		
Union Electric Company d/b/a Ameren Missouri,)		
)		
Respondent)		

REQUEST TO TAKE OFFICIAL NOTICE

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) and, pursuant to Section 536.070(6), hereby requests that the Commission take official notice of the following documents, all of which are relevant to either (a) the validity of Complainants’ claims that Ameren Missouri has acted in violation of the HVAC Law¹, or (b) claims made by Complainants in their pre-filed testimony, including claims about a prior complaint case involving the parties:

1. December 5, 2018 Order Approving Stipulation and Agreement and Granting Waivers, File No. EO-2018-0211, approving Ameren Missouri’s 2019 – 2021 Energy Efficiency Plan (commonly known as “MEEIA 3”), EFIS Item No. 76²;
2. December 21, 2018 Tariff Revision (YE-2019-0133), in compliance with the above-referenced December 5, 2018 Order, EFIS Item No. 77, which includes Original Tariff Sheet Nos. 242 and 242.1, reflecting the Company’s Residential Single-Family Low-Income Program;

¹ Sections 386.754 – 386.764, RSMo (Cum. Supp. 2024). The items in ¶¶ 1 – 15 below bear on this question.
² All EFIS Item references are to the EFIS docket entry in File No. EO-2018-0211. The items in ¶¶ 16 - 21 below bear on this question. Please note that the Company has omitted submitting an approximately 600-page attachment (the MEEIA 3 Plan) to the stipulation that is attached to the December 5, 2018 order.

3. January 8, 2019 Order Approving Tariff in Compliance with Commission Order, EFIS Item No. 82, approving the above-referenced December 21, 2018 Tariff Revision;
4. February 7, 2020 Tariff Revision (YE-2020-0136), expanding availability of the Single-Family Low-Income Program to include attached dwellings of four or fewer units, and March 4, 2020 Notice that Tariff Will Be Allowed to Take Effect, EFIS Item No. 106, by which YE-2020-0136 took effect on March 8, 2020;
5. August 5, 2020 Order Approving Stipulation and Agreements extending MEEIA 3 Programs through December 31, 2022 and adding a new Pay as You Save (“PAYS”) Program, EFIS Item 140;
6. Tariff Revision (YE-2021-0119) implementing above-referenced August 5, 2020 Order, including adding PAYS Program tariff, EFIS Item No. 147;
7. December 1, 2020 Order Approving Tariff in Compliance with Commission Order the above-referenced Tariff Revision YE-2021-0119, EFIS Item No. 150;
8. Tariff Revision YE-2022-0074 implementing changes in the PAYS Program called for by the Stipulation approved in the next listed item, EFIS Item No. 177;
9. October 27, 2021 Order Approving Stipulation and Agreement Regarding MEEIA Plan Year 2023, Approving Tariff Sheet, and Granting Variances, extending the MEEIA 3 Programs through December 31, 2022 and approving Tariff Revision YE-2022-0075, EFIS Item No. 179;
10. Tariff Revision YE-2022-0154 to decrease the interest rate on the PAYS Program and make other Program tariff changes in accordance with the Stipulation and Agreement approved by the above-referenced EFIS Item No. 179, EFIS Item No. 180;
11. December 6, 2021 Order Approving Tariff Sheets approving Tariff Revision YE-2022-0154, EFIS Item No. 183;

12. Tariff Revision YE-2022-0240 implementing change of PAYS Program to all fuels, EFIS Item No. 192;
13. April 6, 2022 Order Approving Tariff Sheet, approving Tariff Revision YE-2022-0240, EFIS Item No. 198;
14. Tariff Revision YE-2024-0018, implementing changes in the Programs and extension of the MEEIA 3 Programs through December 31, 2024, called for by the Stipulation approved in the next listed item, EFIS Item No. 228;
15. August 23, 2023 Order Approving Non-Unanimous Stipulation and Agreement Regarding the Implementation of Certain MEEIA Programs Through Plan Year 2024 and Approving Tariff Sheets, extending the Programs through the end of 2024 and approving Tariff Revision YE-2024-0018, EFIS Item No. 231;
16. February 2, 1999 Complaint by Missouri Coalition for Fair Competition (“MCFFC”), File No. EC-99-327;
17. March 8, 1999 Answer of Respondent Union Electric Company, File No. EC-99-327;
18. May 28, 1999 Stipulation and Agreement, File No. EC-99-327;
19. June 3, 1999 MCFFC Motion to Dismiss with Suggestions, File No. EC-99-327;
20. June 15, 1999 Order Approving Stipulation and Agreement and Closing Case, File No. EC-99-327; and
21. H.B. No. 208, 92nd General Ass., First Regular Session, reflecting all amendments made to Sections 386.754 through 386.764 (the “HVAC Law”) since the HVAC Law’s original enactment in 1998 by H.B. 1038.

WHEREFORE, Ameren Missouri requests that the commission take official notice of the above-listed documents and admit them into evidence as part of the record of this proceeding.

/s/ James B. Lowery
James B. Lowery, Mo. Bar #40503
JBL LAW, LLC
3406 Whitney Court
Columbia, MO 65203
(T) 573-476-0050
lowery@jblawllc.com

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

Dated: July 16, 2024

CERTIFICATE OF SERVICE

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

/s/James B. Lowery
James B. Lowery