

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

In the Matter of Union Electric Company                    )  
d/b/a Ameren Missouri’s 4<sup>th</sup> Filing to                    )  
Implement Regulatory Changes in Furtherance            )       File No. EO-2023-0136  
of Energy Efficiency as Allowed by MEEIA.                )

**STATEMENT OF POSITION OF  
RENEW MISSOURI ADVOCATES  
AND MOTION TO FILE OUT OF TIME**

COMES NOW Renew Missouri Advocates d/b/a Renew Missouri (“Renew Missouri”),  
by and through the undersigned counsel, and submits this Statement of Position along with a  
Motion to File Out-of-Time and in the above-captioned case.

**STATEMENT OF POSITION**

For its Position Statement in reference to the List of Issues submitted in this case on July  
10, 2024, Renew Missouri states the following:

- 1. Benefits:** Is Ameren Missouri’s demand-side plan, as proposed, expected to provide benefits to all customers in the customer class in which the programs are proposed, regardless of whether the programs are utilized by all customers as required by § 393.1075.4 RSMo.?

*RMO Response:* Ameren Missouri’s demand-side plan as proposed is expected to provide significantly more customer benefits than the costs incurred to the Company. The portfolio has a Total Resource Cost (TRC) ratio of 1.64. It is Renew Missouri’s belief that any demand-side investments made that pass the TRC should be considered to provide benefits to all customers pursuant to the meaning of the provision at §393.1075.4, RSMo.

- A. Are the avoided cost assumptions in Ameren’s MEEIA Cycle 4 Amended Application reasonable estimations of ratepayer benefits of avoided energy and demand?
  - i. If not, how should avoided costs be determined?

- B. Does Ameren’s Fuel Adjustment Clause (“FAC”) affect the distribution of potential benefits projected from its MEEIA Cycle 4 Amended Application?
- C. Does Ameren Missouri’s demand side plan value demand-side investments equal to traditional investments in supply and delivery infrastructure?
- D. Do the programs in the demand-side plan, and associated incremental energy and demand savings, demonstrate progress toward the goal of achieving all cost-effective demand-side savings?

*RMO Response:* Renew Missouri certainly considers Ameren Missouri’s proposed plan to demonstrate progress toward the goal of achieving all cost-effective demand-side savings. Beyond the above answer, Renew Missouri takes no specific positions regarding avoided cost assumptions, the FAC, or valuing demand-side investments equal to traditional investments in supply side.

**2. Inflation Reduction Act (“IRA”) / Market Dynamics:** Does Ameren's MEEIA Cycle 4 Amended Application sufficiently address the interaction of the IRA and other market dynamics with MEEIA?

*RMO Response:* Renew Missouri agrees with the Ameren Missouri position that the Commission does not need to decide this issue to approve the proposed MEEIA Cycle 4 Amended Application.

However, Renew Missouri does feel strongly that the proposed application as designed should work alongside the Home Energy Rebate programs and other incentives under the IRA once those become available to Missouri customers. Renew Missouri notes that Federal DOE guidance anticipates and encourages the “stacking” of Federal resources with local utility programs when the total rebated value does not exceed the cost of the measure.<sup>1</sup> Rather than utility efficiency portfolios bending to accommodate new Federal resources, Renew Missouri

---

<sup>1</sup> DOE. “Home Energy Rebates Programs, Frequently Asked Questions.” See FAQ #11. Accessed at: <https://www.energy.gov/scep/home-energy-rebates-frequently-asked-questions>

encourages the Division of Energy within the Missouri Department of Natural Resources (“DE”) to address the narrow case of when Federal resources would cause the total rebated value to exceed measure costs. DE can craft its program by following the specific Federal DOE guidance of how to accomplish this.<sup>2</sup> For further information on Renew Missouri’s position here, please refer to the Rebuttal Testimony of Emily Piontek at pgs. 8-9.

**3. Administrative Overhead:** What should be included as administrative costs?

A. Should there be a cap on administrative costs?

**Ameren Alternative Issue:** Should the Commission modify the proposed programs to place a cap on administrative costs if the portfolio is determined cost effective?

i. If yes, what should the cap be?

*RMO Response:* Renew Missouri takes no position on this issue, but reserves the right to take a position at hearing or at a later date.

**4. Earnings Opportunity (“EO”):** If the Commission determines that Ameren may implement a MEEIA Cycle 4, should the Commission authorize an Earning Opportunity?

*RMO Response:* Yes. Providing a timely earnings opportunity is a necessary component to achieve the statutory goal of MEEIA – found at §393.1075.3, RSMo – of valuing demand-side investments equal to traditional investments in supply and delivery infrastructure.

A. In valuing demand side investments equal to supply side investment as required by § 393.1075.3 RSMo.:

i. Who bears the risk of Ameren not achieving its projected energy targets?

ii. Is Ameren’s proposed EO (reward) commiserate with the risk it bears?

B. Are any of the proposals regarding the Earnings Opportunity ((1) Ameren’s proposal, (2) Dr. Marke’s proposal in Surrebuttal Testimony, or (3) Ms. Lange’s proposal in Surrebuttal Testimony) consistent with § 393.1075.3(3) RSMo.’s requirement that any earnings opportunity be “associated with cost-effective measurable and verifiable efficiency savings”?

---

<sup>2</sup> DOE. (2024, January 10). Guidelines for Leveraging Other Funding Sources with Home Energy Rebates. Available at: <https://www.energy.gov/scep/home-energy-rebates-programs>

- i. If so, and if the Commission determines that Ameren may implement a MEEIA Cycle 4, which, if any, proposal should be used to calculate any earnings opportunity?

*RMO Response:* Beyond the response above, Renew Missouri takes no position on these sub-issues, but reserves the right to do so at hearing or at a later date.

**5. Evaluation, Measurement, and Verification (“EM&V”):** If the Commission approves Ameren Missouri’s MEEIA Cycle 4 Amended Plan, should the Commission approve Ameren Missouri’s EM&V plans?

A. In addressing this question, should the results of the EM&V of Ameren Missouri’s MEEIA Cycle 4 be applied on a prospective or retrospective basis?

B. Should EM&V consider:

- i. the rebound effect;
- ii. interactive effects;
- iii. the principal/agent issue;
- iv. the IRA;
- v. operational inefficiencies;
- vi. free ridership;
- vii. spillover;
- viii. time-based rates; and
- ix. any other issues.

C. Should the EM&V be completed by a single independent, Commission-approved consultant with no utility oversight?

D. Should the TRM and deemed savings tables included in Ameren’s MEEIA Cycle 4 Amended Application be approved, approved with modifications, or rejected? i. Prior to approval, should the Commission require Ameren to submit a TRM and deemed savings table with serviceable links and page-specific citations of the assumptions underlying the TRM and deemed savings table themselves? a. If not prior to approval, when must Ameren submit these items?

*RMO Response:* Renew Missouri takes no position on this issue, but reserves the right to take a position at hearing or at a later date.

**6. Throughput Disincentive Mechanism:** If Ameren’s MEEIA Cycle 4 Amended Application is approved, should it include a Net Throughput Disincentive Mechanism as requested by Ameren Missouri, or a Net Variable Revenue Mechanism as proposed by Staff?

- A. If a Net Throughput Disincentive Mechanism is authorized, what, if any, modifications are necessary to address the changes in circumstances associated with the proliferation of time-based rates and the passage of the federal Inflation Reduction Act (“IRA”)?
- B. If a Net Throughput Disincentive Mechanism is authorized, is the proposed Technical Resource Manual and planned Evaluation, Measurement, and Verification reasonable for its administration?
- C. Does § 386.266.3 RSMo., which authorizes Plant in Service Accounting (“PISA”), prohibit the Commission from authorizing a Net Throughput Disincentive Mechanism under § 393.1075, RSMo?

*RMO Response:* Renew Missouri takes no position on this issue, but reserves the right to take a position at hearing or at a later date.

**7. Programs:** Should the Commission approve, approve with modifications, or reject Ameren’s proposed tariff programs?

A. In regards to programs, specifically:

i. Residential:

- a. HVAC
- b. PAYS
- c. New Construction
- d. Demand Response
  - o Specifically, should Ameren be allowed to incentivize new thermostats?
- e. Education/Energy Efficiency (“EE”) Kits

ii. Business:

- a. Business Lighting
- b. Demand Response
- c. Midstream
- d. Custom/Standard

iii. Income-Eligible:

- a. Multi-family
- b. Single Family

iv. Pilots/Research and Development

*RMO Response:* Renew Missouri encourages the Commission to approve the above programs proposed in Ameren Missouri’s application. The Commission should allow Ameren Missouri to

incentivize new thermostats, and should encourage the Company to utilize thermostats and other residential appliances in a demand response program.

- B. If the Commission approves the demand-side program plan, should the Commission adopt or modify the form of Ameren Missouri's DSM programs' exemplar tariff sheets which were attached as Appendix J?

*RMO Response:* Renew Missouri encourages the Commission to adopt the additions and modifications found in the Rebuttal Testimonies of Dana Gray submitted in this case.

- C. Do the DSM programs' exemplar tariff sheets comply with the Commission's Promotional Practices requirements found in 20 CSR 4240-3.150 and 20 CSR 4240-14.030? If not, how do they not comply, and should the Commission grant a variance(s) to the extent they are determined not to comply?

*RMO Response:* Renew Missouri takes no position on this issue, but reserves the right to take a position at hearing or at a later date.

MOTION FOR LEAVE TO FILE OUT OF TIME

In addition to the above Position Statement, Renew Missouri submits this Motion for Leave to File Out-of-Time. In support of its Motion, Renew Missouri states the following:

1. Due to unforeseen circumstances, Renew Missouri counsel was unable to file its Position Statement on the due date of July 17, 2024.
2. No party will be adversely affected by granting this Motion and making Renew Missouri's Position Statement part of the official record in this proceeding.

WHEREFORE, Renew Missouri respectfully requests that the Commission grant this Motion for Leave to File Out-of-Time and allow its Statement of Position to become part of the record in this case, along with any further relief the Commission deems proper.

Respectfully,

/s/ Andrew J. Linhares

Andrew J. Linhares, Mo. Bar No. 63973  
3115 South Grand Blvd., Ste. 600  
St. Louis, MO 63118  
T: (314) 471-9973  
[andrew@renewmo.org](mailto:andrew@renewmo.org)

ATTORNEY FOR RENEW MISSOURI  
ADVOCATES

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 18th day of July, 2024.

Andrew J. Linhares

