

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

In the Matter of Ameren Missouri’s Notice of a    )  
Change in its Preferred Resource Plan.    )         File No. EO-2022-

**NOTICE OF CHANGE IN PREFERRED RESOURCE PLAN**

**COMES NOW** Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri" or the "Company"), and for its Notice under 20 CSR 4240-22.080(12) of a Change in Preferred Resource Plan, the Company states as follows:

1.       The Missouri Public Service Commission's ("Commission") Integrated Resource Plan ("IRP") rule, at 20 CSR 4240-22.080(12) states:

[b]etween triennial compliance filings...if the utility determines that the preferred resource plan or acquisition strategy is no longer appropriate...the utility, in writing, shall notify the commission within sixty (60) days of the utility's determination and shall serve notice on all parties to the most recent triennial compliance filing. The notification shall include a description of all changes . . . and all other performance measures specified in the last filing . . .

2.       On December 11, 2021, Ameren Missouri determined that its current Preferred Resource Plan<sup>1</sup> was no longer appropriate after it decided it would not be in its customers' best interest to install a flue gas desulfurization unit ("FGDU") at its Rush Island Energy Center as the means of complying with federal court requirements arising from ongoing litigation involving Rush Island and the federal Clean Air Act.<sup>2</sup> Instead of installing a FGDU, the Company determined that it should proceed to retire Rush Island by a date to be determined by the Eastern District consistent with maintaining reliability in the region significantly in advance of the retirement date assumed (2039) in its current Preferred Resource Plan.

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<sup>1</sup> File No. EO-2021-0021, the docket in which the Company filed its most recent Triennial Integrated Resource Plan which included its current Preferred Resource Plan.

<sup>2</sup> See *United States et al. v. Ameren Missouri*, Case No. 4:11-cv-00077-RWS (on remand in the Federal District Court for the Eastern District of Missouri after opinion by the Eighth Circuit United States Court of Appeals, No. 19-3220 (8<sup>th</sup> Cir. Aug. 20, 2021)).

3. Under the above-quoted rule, since that determination has rendered its current Preferred Resource Plan inappropriate, Ameren Missouri was to notify the Commission of a new Preferred Resource Plan and the impact of the change on the present value of the revenue requirement and on all other performance measures specified in its last triennial IRP filing and was to do so within 60-days. In this case, the 60 days ran on February 9, 2022.

4. For several reasons, Ameren Missouri was unable to conduct the necessary analysis to be able to select a new Preferred Resource Plan by February 9, 2022. In File No. EE-2022-0192, Ameren Missouri requested a variance from the rule to allow the Company until July 15, 2022, to provide the required notice. On February 9, 2022, the Missouri Public Service Commission issued an order granting Ameren Missouri's variance request.

5. Filed concurrently with this Notice, Ameren Missouri is submitting its new Preferred Resource Plan, as required by the above-quoted Commission rule and the above-cited order.

6. This Notice was not preceded by a 60-day notice under 20 CSR 4240-4.017 since this Notice does not create a "case," as defined in 20 CSR 4240-4.015(1), given that it requires no determination from the Commission.

**WHEREFORE**, Ameren Missouri submits this Notice in compliance with 20 CSR 4240-22.080(12) and with the Commission's February 9, 2022 order in File No. EE-2022-0192.

*(signature block appears on following page)*

Respectfully submitted,

*/s/ Wendy K. Tatro*

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*/s/ James B. Lowery*

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**Attorneys for Union Electric Company  
d/b/a Ameren Missouri**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was served on the Missouri Public Service Commission Staff and the Office of the Public Counsel via electronic mail (e-mail) or via regular mail on this 22nd day of June, 2022.

*/s/ Wendy K. Tatro*  
Wendy K. Tatro