

Exhibit No.:
Issue(s): *In-Service Criteria*
Witness: *Brodrick Niemeier*
Sponsoring Party: *MoPSC Staff*
Type of Exhibit: *Direct Testimony*
Case No.: *ER-2024-0319*
Date Testimony Prepared: *December 3, 2024*

MISSOURI PUBLIC SERVICE COMMISSION

INDUSTRY ANALYSIS DIVISION

ENGINEERING ANALYSIS DEPARTMENT

DIRECT TESTIMONY

OF

BRODRICK NIEMEIER

**UNION ELECTRIC COMPANY,
d/b/a Ameren Missouri**

CASE NO. ER-2024-0319

Jefferson City, Missouri
December 3 2024

**** Denotes Confidential Information ****

1 A. The purpose of my testimony is to discuss the status of construction and
2 in-service testing for Huck Finn, Boomtown, and Cass County solar facilities.

3 **IN-SERVICE CRITERIA**

4 Q. What are in-service criteria?

5 A. In-service criteria are a set of operational tests or operational requirements
6 developed by Staff to determine whether a unit is “fully operational and used for service.”

7 Q. Where does the phrase “fully operational and used for service” come from?

8 A. The phrase comes from Section 393.135, RSMo. 2000, a statute that was adopted
9 by Initiative, Proposition No. 1, on November 2, 1976. Section 393.135, RSMo., provides as
10 follows:

11 Any charge made or demanded by an electrical corporation
12 for service, or in connection therewith, which is based on the
13 costs of construction in progress upon any existing or new
14 facility of the electrical corporation, or any other cost
15 associated with owning, operating, maintaining, or financing
16 any property before it is fully operational and used for
17 service, is unjust and unreasonable, and is prohibited.
18 (Emphasis added)

19
20 Q. What does it mean for a facility to be “fully operational and used for service”?

21 A. Staff considers a unit to be “fully operational and used for service” once all
22 major construction has been completed, the facility is placed into service in the manner that it
23 was intended, and is operating as intended. Staff determines whether a new or acquired unit is
24 “fully operational and used for service” by evaluating the unit based on specific criteria.
25 The criteria may be different depending on the type of unit that is being evaluated. The specific
26 criteria for Huck Finn, Boomtown, and Cass County can be found in Schedule BN-d2.

1 **HUCK FINN, BOOMTOWN, AND CASS COUNTY**

2 Q. Were Huck Finn, Boomtown, and Cass County in-service before the end of the
3 test year?

4 A. No. According to Ameren Missouri's response to Staff data request 557,
5 Huck Finn was under construction as of October 11, 2024, Boomtown was in the process of
6 being commissioned as of October 17, 2024, and Cass County was under construction as of
7 October 18, 2024. This places their in-service dates outside the end of the test year.

8 Q. Will the three solar facilities be in-service by the end of the true-up period?

9 A. Ameren Missouri currently plans for all three facilities to be substantially
10 complete by December 31, 2024, the end of the true-up period. However, the in-service criteria
11 must be completed before these facilities can be considered fully operational and used for
12 service, and these criteria and associated tests have not been completed for any of the facilities
13 at this time. If Staff receives documentation supporting and proving the in-service criteria were
14 met on or before December 31, 2024, then those solar facilities will be included in Staff's
15 true-up testimony. The in-service criteria for these facilities were previously agreed to between
16 Staff and Ameren Missouri in the respective Certificate of Convenience and Necessity cases
17 and are attached as Schedule BN-d2.¹

18 Q. Does this conclude your direct testimony?

19 A. Yes, it does.

¹ The Certificate of Convenience and Necessity cases where in-service criteria were agreed to for Huck Finn, Boomtown, and Cass County projects are EA-2022-0244, EA-2022-0245, and EA-2023-0286 respectively.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Union Electric Company)
d/b/a Ameren Missouri's Tariffs to Adjust)
Its Revenues for Electric Service) Case No. ER-2024-0319

AFFIDAVIT OF BRODRICK NIEMEIER

STATE OF MISSOURI)
)
COUNTY OF COLE) ss.

COMES NOW BRODRICK NIEMEIER and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Direct Testimony of Brodrick Niemeier*; and that the same is true and correct according to his best knowledge and belief.

Further the Affiant sayeth not.


BRODRICK NIEMEIER

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 25th day of November 2024.

D. SUZIE MANKIN
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: April 04, 2025
Commission Number: 12412070


Notary Public

CREDENTIALS AND CASE PARTICIPATION OF **BRODRICK NIEMEIER**

Present Position:

I am an Associate Engineer in the Engineering Analysis Department, Industry Analysis Division, of the Missouri Public Service Commission.

Educational Background and Work Experience:

In December 2021, I received a Bachelor of Science Degree in Chemical Engineering from Missouri University of Science and Technology (UMR). I joined the Commission Staff in March 2022.

Testimony Filed:

Case Number	Utility	Testimony	Issue
GE-2018-0193	Summit Natural Gas of Missouri	Staff Report	Meter Inspections
EA-2022-0244	Ameren Missouri	Rebuttal	Qualifications and Report Requirements
EO-2022-0320	Evergy Missouri West	Staff Report	Change of Provider
WA-2022-0361	Missouri American Water Company	Staff Report	Depreciation
WA-2023-0026	Confluence Rivers	Staff Report	Depreciation
WA-2023-0071	Missouri American Water Company	Staff Report	Depreciation
EO-2023-0105	Evergy Missouri West	Staff Report	Change of Provider
GE-2023-0196	Liberty (Empire) Gas	Staff Report	Meter Inspections
GE-2023-0354	Spire Missouri	Staff Report	Meter Inspections
EO-2024-0035	Evergy Missouri West	Staff Report	Change of Provider
EO-2024-0142	Evergy Missouri West	Staff Report	Change of Provider
EO-2024-0161	Evergy Missouri West	Staff Report	Change of Provider

EA-2023-0131	Liberty (Empire) Electric	Staff Report	Application Requirements, Qualifications, Maintenance and Forced Outages, and Operating Plans
ER-2024-0189	Evergy Missouri West	Direct, Rebuttal, True-up	Fuel and Purchased Power Cost
GE-2024-0345	Summit Natural Gas of Missouri	Staff Report	Meter Inspections

Solar Electrical Generator

In-Service Test Criteria [for Boomtown]

1. All major construction work is complete.
2. All preoperational tests have been successfully completed.
3. Facility successfully meets contract operational guarantees that are necessary for satisfactory completion of all other items in this list.
4. Upon observation of the facility for 72 consecutive hours, the facility will have demonstrated that when sunlight was shining on it during that period it produced power in a standard operating mode.
5. Facility shall meet at least 95% of the guaranteed capacity (in MW AC) based on the In-Service Capacity Test in Attachment 1.¹ The In-Service Capacity Test shall determine the facility's Corrected Capacity at the Design Point Conditions.
6. Sufficient transmission/distribution interconnection facilities shall exist for the total plant design net electrical capacity at the time the facility is declared fully operational and used for service.
7. Sufficient transmission/distribution facilities shall exist for the total plant design net electrical capacity into the utility service territory at the time the facility is declared fully operational and used for service.

¹ Attachment 1 refers to confidential attachment SEL-4 of Shawn Lange's Rebuttal Testimony filed in Case No. EA-2022-0245. This attachment has been included in this case under the name BN-d3

Solar Electrical Generator

In-Service Test Criteria [for Huck Finn]

1. All major construction work is complete.
2. All preoperational tests have been successfully completed.
3. Facility successfully meets contract operational guarantees that are necessary for satisfactory completion of all other items in this list.
4. Upon observation of the facility for 72 consecutive hours, the facility will have demonstrated that when sunlight was shining on it during that period it produced power in a standard operating mode.
5. Facility shall meet at least 95% of the guaranteed capacity (in MW AC) based on the In-Service Capacity Test in Attachment 1.² The In-Service Capacity Test shall determine the facility's Corrected Capacity at the Design Point Conditions.
6. Sufficient transmission/distribution interconnection facilities shall exist for the total plant design net electrical capacity at the time the facility is declared fully operational and used for service.
7. Sufficient transmission/distribution facilities shall exist for the total plant design net electrical capacity into the utility service territory at the time the facility is declared fully operational and used for service.

² Attachment 1 refers to confidential attachment SEL-2 in Staff's Staff Report and Recommendation filed in Case No. EA-2022-0244. This attachment has been included in this case under the name BN-d4.

Solar Electrical Generator

In-Service Test Criteria [for Cass County]

1. All Solar Block Circuit major construction work is complete.
2. All Solar Block Circuit preoperational tests have been successfully completed.
3. Facility or Solar Block Circuit successfully meets contract operational guarantees that are necessary for satisfactory completion of all other items in this list.
4. Upon observation of the facility or Solar Block Circuit for 72 consecutive hours, the facility or Solar Block Circuit will have demonstrated that when sunlight was shining on it during that period it produced power in a standard operating mode.
5. Facility or Solar Block Circuit shall meet at least 95% of the guaranteed capacity (in MW AC) based on the Capacity Test in Attachment 1.³ The Capacity Test shall determine the facility's Corrected Capacity at the Design Point Conditions.
6. Sufficient transmission/distribution interconnection facilities shall exist for the total plant design or Solar Block Circuit net electrical capacity at the time the facility or Solar Block Circuit is declared fully operational and used for service.
7. Sufficient transmission/distribution facilities shall exist for the total plant design net electrical capacity into the utility service territory at the time the facility or Solar Block Circuit is declared fully operational and used for service.

³ Attachment 1 refers to confidential attachment SEL-r3 of Shawn Lange's Rebuttal Testimony filed in Case No. EA-2023-0286. This attachment has been included in this case under the name BN-d5.

SCHEDULE BN-d3

HAS BEEN DEEMED

CONFIDENTIAL IN ITS ENTIRETY

SCHEDULE BN-d4

HAS BEEN DEEMED

CONFIDENTIAL IN ITS ENTIRETY

SCHEDULE BN-d5

HAS BEEN DEEMED

CONFIDENTIAL IN ITS ENTIRETY