

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Ameren Missouri’s 2024)
Integrated Resource Plan Annual Update) File No. EO-2025-0123
Report)

**SIERRA CLUB’S COMMENTS ON AMEREN’S 2024
INTEGRATED RESOURCE PLAN ANNUAL UPDATE**

Pursuant to 20 CSR 4240-22.080, Sierra Club respectfully submits these comments on the 2024 Integrated Resource Plan (“IRP”) Annual Update filed by Ameren Missouri (“Ameren” or the “Company”). Sierra Club reiterates its comments from File No. EO-2024-0020¹ because (1) Ameren did not make any substantive changes to its 2023 triennial IRP, and (2) Ameren objected to each and every discovery request submitted to it—even refusing to disclose its IRP workpapers—thereby preventing Sierra Club from learning anything new about Ameren’s underlying IRP assumptions.

Sierra Club presents two arguments for the Commission’s consideration: (1) Ameren did not abide by the Joint Agreement submitted by the parties in the triennial IRP immediately preceding this Annual Update; and (2) Ameren prevented parties from meaningfully participating in this Annual Update by objecting to any and all discovery submitted to the Company, in violation of Commission rules. Sierra Club requests that the Commission order Ameren to resolve both of these issues promptly.

¹ Item No. 49, File No. EO-2024-0020, Sierra Club's Comments and Exhibits on Ameren's 2023 Integrated Resource Plan (Public and Confidential), *available at* <https://efis.psc.mo.gov/Case/FilingDisplay/584304>.

Ameren Failed to Honor the Joint Agreement

In the triennial IRP docket, the parties submitted a Joint Filing documenting an agreement to remedy several alleged concerns and deficiencies.² As discussed in Sierra Club’s Motion to Compel in this docket,³ Sierra Club asserts that Ameren failed to abide by the Joint Filing with respect to one of Sierra Club’s alleged deficiencies. Specifically, on page 6 of Attachment A to the Joint Filing, Ameren agreed to “include compliance with new EPA regulations in any update to its preferred resource plan.”⁴ Similarly, on page 5 of Attachment A to the Joint Filing, in resolution of another stakeholder’s deficiencies, Ameren agreed to “include an analysis of its compliance with new and updated EPA regulations in its next preferred resource plan filing, whether that occurs via an Annual Update or Change in Preferred Resource Plan.”⁵ Plainly, this Annual Update proceeding is the vehicle contemplated by the Joint Filing; yet, Ameren included no such analysis in its IRP Annual Update, stating instead that it would “closely watch the current judicial processes and adjust its planning accordingly.”⁶ Ameren’s refusal to abide by the Joint Filing not only renders the Joint Filing meaningless, but also shields stakeholders and Ameren customers from understanding the planning environment that Ameren faces—notably, the potential hundreds of millions if not billions of dollars that Ameren may

² Item No. 67, File No. EO-2024-0020, Joint Filing, *available at* <https://efis.psc.mo.gov/Case/FilingDisplay/593217>.

³ Item No. 5, File No. EO-2025-0123, Sierra Club’s Motion to Compel, *available at* <https://efis.psc.mo.gov/Case/FilingDisplay/606786>.

⁴ Item No. 67, File No. EO-2024-0020, Joint Filing Attachment A, *available at* <https://efis.psc.mo.gov/Case/FilingDisplay/593217>.

⁵ *Id.*

⁶ Item No. 1, File No. EO-2025-0123, 2024 IRP Annual Update, at p. 12, *available at* <https://efis.psc.mo.gov/Case/FilingDisplay/602226>.

need to spend to comply with federal law and regulations. The Commission should order Ameren to comply with the Joint Filing.

Ameren’s Discovery Objections Meaningfully Limit Stakeholder Participation in IRP Annual Updates and Violate Commission Rules

Relatedly, Sierra Club submitted discovery on the environmental regulatory issues contemplated in the Joint Filing, among other relevant resource planning topics, yet Ameren objected to all such discovery. Going further, Ameren objected to even providing its workpapers underlying this IRP Annual Update, which is specifically contemplated under 20 CSR 4240-22.080(11).⁷ Sierra Club will not reiterate its Motion to Compel arguments here, and urges the Commission to look holistically at this topic and come to a swift resolution. Ameren’s refusal to provide relevant information violates both the discovery rules and renders meaningless the agreement reached in the Joint Filing. The Commission should apply its traditional policy of favoring robust discovery in proceedings before it to its IRP Update venues as well. Doing so can only aid transparent review of utility planning for the benefit of regulated customers.

⁷ This portion of the rule states: “All workpapers, documents, reports, data, computer model documentation, analysis, letters, memoranda, notes, test results, studies, recordings, transcriptions, and any other supporting information relating to the filed resource acquisition strategy within the electric utility’s or its contractors’ possession, custody, or control shall be preserved and submitted within two (2) days of its triennial compliance **or annual update filings** in accordance with any protective order to the staff and public counsel, and to any intervenor within two (2) days of the intervenor signing and filing a confidentiality agreement, for use in its review of the periodic filings required by this rule. All information shall be labeled to reference the sections of the technical volume(s) to which it is related, and all spreadsheets shall have all formulas intact. Each electric utility shall retain at least one (1) readable copy of the officially adopted resource acquisition strategy and all supporting information for at least the prior three (3) triennial compliance filings.” (emphasis added).

Respectfully submitted,

Dated: December 16, 2024

/s/ Sarah Rubenstein

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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of December, 2024, a true and correct copy of the foregoing pleading was filed on EFIS and sent by email to all parties of record.

/s/ Sarah Rubenstein
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