

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

In the Matter of the Application of Ameren)	
Transmission Company of Illinois for a)	
Certificate of Convenience and Necessity under)	Case No. EA-2025-0087
Section 393.170.1, RSMo Relating to)	
Transmission Investments in North Central)	
Missouri)	

**RESPONSE OF RENEW MISSOURI AND CLEAN GRID ALLIANCE TO MISO’S
MOTION TO SUBMIT DIRECT TESTIMONY**

COMES NOW Renew Missouri Advocates d/b/a Renew Missouri (“Renew Missouri”) and Clean Grid Alliance (“CGA”), with a joint response to MISO’s motion to submit direct testimony, respectfully states as follows:

1. On December 13, 2024, the Commission issued an Order Directing Notice, Setting Intervention Deadline, and Setting Time for Responses (“Order”) in the above-captioned proceeding. The Order provided that responses to the Midcontinent Independent System Operator, Inc.’s (“MISO”) motion to submit direct testimony shall be filed no later than January 20, 2025. The Order further specified that a response to MISO’s motion may be filed by persons or entities not yet granted intervention. Accordingly, Renew Missouri and CGA¹ submit this response in support of MISO’s motion.

¹ Both Renew Missouri and CGA have filed an application to intervene in this proceeding (item nos. 31 and 34 in this proceeding, decision pending), and are both intervenors with full party status to the related proceeding, *In the Matter of the Application of Ameren Transmission Company of Illinois for a Certificate of Convenience and Necessity under Section 393.170.1, RSMo. relating to Transmission Investments in Northwest and Northeast Missouri*, Case No. EA-2024-0302, referenced herein.

2. On December 11, 2024, Ameren Transmission Company of Illinois (“ATXI”) filed an application with the Commission seeking an order granting a Certificate of Convenience and Necessity (“CCN”) pursuant to Section 393.170.1, RSMo. The CCN would authorize ATXI to construct, install, own, operate, control, manage, and maintain slightly over 200 miles of transmission lines across the State of Missouri. ATXI’s proposed project constitutes a portion of the Missouri jurisdictional portion of the 18 Multi-Value Projects (MVPs) approved by MISO as part of its Long Range Transmission Planning (LRTP) Tranche 1 Portfolio incorporated into the 2021 MISO Transmission Expansion Plan. (Application, pp. 1-2)

3. In support of its case-in-chief, ATXI filed direct testimony of nine witnesses. The direct testimony of Shawn Schukar outlines ATXI’s direct testimony submitted by the Company’s other witnesses. Mr. Schukar’s testimony includes reference to testimony to be submitted by Jeremiah Doner, Director of Cost Allocation and Competitive Transmission, MISO. Mr. Schukar’s testimony notes that:

It is ATXI’s understanding that MISO intends to move to intervene and file the direct testimony of Mr. Jeremiah Doner in support of the Application shortly after ATXI’s filing of its Application and direct testimony. All references to the direct testimony of MISO witness Mr. Jeremiah Doner reflect ATXI’s understanding of his forthcoming testimony.

(Schukar Direct, p. 10, fn. 3)

4. As foreshadowed by Mr. Schukar’s direct testimony, on December 12, 2024, MISO filed an application to intervene and also a motion permission to submit early-filed, direct testimony of its witness in support of ATXI’s application.

5. On January 17, 2025, Staff filed a response in opposition to MISO’s motion requesting permission to submit direct testimony in the proceeding. Renew Missouri and CGA respond to several points in Staff’s response here.

6. Renew Missouri and CGA support MISO's request to submit early-filed, direct testimony in this case. The Commission may grant a waiver of any rule of practice before the Commission "for good cause" pursuant to 20 CSR 4240-2.015. We believe that there is good cause to allow MISO's direct testimony, as doing so as a part of ATXI's case-in-chief will increase transparency, allow parties and staff to better evaluate the application, and encourage an efficient and orderly disposition of the case.

7. MISO's direct testimony provides critical information necessary for a full evaluation of the five factors for approval of a CCN that the Commission listed in *In Re Tartan Energy*, GA-94-127, 3 Mo.P.S.C.3d 173, 177 (1994) ("Tartan Criteria"), including analysis on need, economic feasibility, and promotion of the public interest. Inclusion of this information will provide staff and other parties with information that will bolster their analysis of whether the application meets the approval criteria for the CCN. The relevance and importance of MISO's direct testimony is amplified by the fact that the project at issue in this application is a product of MISO's LRTP process. MISO, through direct testimony, is able to provide context relating to its long range transmission planning, reliability planning, economic and public policy considerations, and regional impacts and policies that extend beyond ATXI's service territory, therefore providing critical context relevant to the Commission's decision-making process in this case. MISO is the entity most capable of presenting this information and should not be foreclosed from doing so in this proceeding.

8. Staff's observation that MISO did not submit testimony in Case No. EA-2024-0302 is misplaced. (Response of Staff to MISO Motion to Submit Direct Testimony, ¶7) Although Staff is correct that MISO did not submit direct testimony in that proceeding, the substantive information in MISO's offered testimony here is covered in that proceeding by ATXI witness Dodd, who retired

and therefore did not offer testimony in this proceeding. Given the absence of Witness Dodd's testimony here, MISO's offered testimony provides an important piece of ATXI's case-in-chief. Therefore, MISO's testimony is appropriately offered as direct, rather than rebuttal testimony.

9. Further, the lack of a procedural schedule in Case No. EA-2024-0302 raises the question of whether and when testimony could be offered into evidence. Parties that support the application in that case have waited on the procedural schedule to submit their testimony. Testimony in that case by supporters of the application, as well as in the instant docket, should be received by the Commission as direct testimony rather than limiting the voice of intervenors to only rebutting information provided by ATXI.

10. Contrary to Staff's assertion that allowing MISO to submit direct testimony early will lead to a "truly chaotic" procedural schedule, allowing MISO's direct testimony early in the proceeding will provide for a more robust record upon which a staff report or recommendation may be based, and will allow increased transparency and provide a better opportunity for other parties, including intervenors, to effectively and efficiently respond to the need and justification for the project.

11. Renew Missouri and CGA observe that precedent exists for the Commission to allow a non-applicant party to file direct testimony. In Cases No. EO-2023-0369 and EO-2023-0370, Staff moved to provide early, pre-filed direct testimony, instead of rebuttal testimony, arguing that providing the Commission a robust case, including all relevant information for the Commission to evaluate led to better results for impacted customers.² The Commission was

² In the Matter of Evergy Metro, Inc. d/b/a Evergy Missouri Metro's Notice of Intent to File an Application for Authority to Establish a Demand-Side Programs Investment Mechanism and In the Matter of Evergy Missouri West, Inc. d/b/a Evergy Missouri West's Notice of Intent to File an Application for Authority to Establish a Demand- Side Programs Investment Mechanism, *Proposed Procedural Schedule Motion* (January 26, 2024).

persuaded by this argument, and allowed for parties to file direct testimony in those dockets.³ In a case analogous to the instant proceeding, Case No. EA-2017-0345,⁴ regarding the Mark Twain Multi-Value Project that emerged from MISO's transmission planning stakeholder process, MISO filed direct testimony that was made part of the record of that case.

12. The Commission has the discretion in this case to allow MISO to file direct testimony to complete the record, and allow for all parties to have the necessary information to fully evaluate if this application is necessary and convenient, utilizing the standards established in the *In Re Tartan Energy*, GA-94-127, 3 Mo.P.S.C.3d 173, 177 (1994) 13 case. MISO being granted this opportunity will not deprive other parties of any procedural rights, as Staff and others are just as able to respond to them in their initial rebuttal testimony or Staff recommendation, as they could if they filed surrebuttal or a responsive answer to MISO filing the information as part of its rebuttal. However, the latter approach unnecessarily slows down the procedural schedule. Furthermore, the Commission can and should choose to set a procedural schedule at this time, to allow for MISO and parties to file direct testimony, as well as allow for rebuttal and surrebuttal. There is good cause to support MISO filing direct under either option, and the Commission allowing MISO to do so under either alternative will not disrupt the case proceedings or shortchange any parties' procedural rights.

13. For the foregoing reasons, Renew Missouri and CGA support MISO's motion to file direct testimony in this proceeding. Doing so will allow Staff and other parties to access a

³ In the Matter of Evergy Metro, Inc. d/b/a Evergy Missouri Metro's Notice of Intent to File an Application for Authority to Establish a Demand-Side Programs Investment Mechanism and In the Matter of Evergy Missouri West, Inc. d/b/a Evergy Missouri West's Notice of Intent to File an Application for Authority to Establish a Demand- Side Programs Investment Mechanism, Order Establishing Procedural Schedule, Order (March 21, 2024).

⁴ In the Matter of the Application of Ameren Transmission Company of Illinois for a Certificate of Public Convenience and Necessity Authorizing it to Construct, Install, Own, Operate, Maintain and Otherwise Control and Manage a 345-kV Electric Transmission Line from Palmyra, Missouri to the Iowa Border and an Associated Substation Near Kirksville, Missouri

more full record for evaluation of whether the project meets the standards for issuance of a CCN.
This alone represents good cause for the Commission to grant the request.

14. **WHEREFORE** Renew Missouri and CGA request the Commission grant MISO's motion to submit direct testimony in this proceeding.

Respectfully submitted,

/s/ Nicole Mers

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 20th day of January 2025.

/s/ Nicole Mers