

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

In the Matter of Staff's Investigation of)
Matters Concerning the Rush Island)
Energy Center Belonging to Union Electric)
Company d/b/a Ameren Missouri)

Case No. EO-2022-0215

**PUBLIC COUNSEL'S RESPONSE TO UNION ELECTRIC COMPANY'S
REQUEST TO CEASE MONTHLY REPORTING OBLIGATION**

COMES NOW the Office of Public Counsel ("Public Counsel") and, for its response to Union Electric Company d/b/a Ameren Missouri's *Request to Cease Monthly Reporting Obligation*, opposes ceasing that reporting obligation as follows:

1. At Staff's instigation the Commission opened this uncontested case as a repository for information regarding the potential impacts on Union Electric Company electric customers of United States of America's enforcement of the federal Clean Air Act against Ameren Missouri for unlawful emissions from its Rush Island coal-fired power plant—*United States v. Ameren Missouri*, United States District Court for the Eastern District of Missouri, Eastern Division, Case No. 4:11 CV 77 RWS. Due to this enforcement action Ameren Missouri elected to retire Rush Island prematurely in October of 2024 rather than in 2039, to avoid adding costly emissions control equipment to Rush Island.

2. Primary among Staff's concerns were the impacts of retiring Rush Island on Ameren Missouri's ability to provide reliable and adequate service, how Ameren Missouri planned to address those impacts, the prudence of Ameren Missouri's actions and decisions surrounding Rush Island, and the prudence of how Ameren Missouri addressed the impacts of retiring Rush Island.

3. In its order directing its Staff to undertake this investigation the Commission stated:

The Commission is concerned about potential impacts on the reliability and adequacy of Ameren Missouri's service to its ratepayers, including possible power outages, service disruptions, and excessive costs that could result from an accelerated retirement of Rush Island. Retirement of a generating plant providing power to the transmission grid must be planned appropriately to ensure that continued safe and reliable service is provided to captive customers, and the appropriate timing of a retirement must be evaluated to avoid service disruptions. Ameren Missouri's current Integrated Resource Plan (IRP) assumes that Rush Island will be operated for another fifteen years. Ameren Missouri is scheduled to update its preferred resource plan by July 15, 2022, to account for the closing of Rush Island,¹ but that evaluation is not yet complete and has not been reviewed by the Commission.

4. In its *Request to Cease Monthly Reporting Obligation* Ameren Missouri states,

- **Transmission Upgrades.** Necessary transmission upgrades were identified in the MISO Y study. These upgrades have been completed with the exception of the installation of one STATCOM that will go into service by June of 2025.

5. Ameren Missouri's motion shows on its face that a necessary transmission upgrade due to Ameren Missouri's retirement of Rush Island—one STATCOM—is not yet in service. That STATCOM transmission upgrade is necessary "to ensure that continued safe and reliable service is provided to captive customers." For this reason alone, the Commission should not relieve Ameren Missouri of its reporting obligation.

6. Further, Ameren Missouri has not shown, or even alleged, that it has completed all actions required to ensure continued safe and reliable service because it retired Rush Island.

7. The Commission should not relieve Ameren Missouri of its monthly reporting obligation.

Wherefore, Public Counsel opposes Ameren Missouri's request to terminate its monthly reporting requirements.

Respectfully,

/s/ Nathan Williams

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 27th day of January 2025.

/s/ Nathan Williams