

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 28th day of September, 2016.

In the Matter of the Application of Union Electric)	
Company d/b/a Ameren Missouri for Approval)	<u>File No. ET-2016-0246</u>
Of a Tariff Setting a Rate for Electric Vehicle)	Tariff No. YE-2017-0030
Charging Stations)	

ORDER DENYING MOTION FOR CONSOLIDATION

Issue Date: September 28, 2016

Effective Date: September 28, 2016

On August 15, 2016, Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) filed an application requesting that the Missouri Public Service Commission approve a tariff authorizing a pilot program to install and operate electric vehicle charging stations at locations within Ameren Missouri’s service area along the Interstate 70 corridor between St. Louis and Boonville, Missouri, and in Jefferson City, Missouri. The tariff has an effective date of October 15, 2016.

On September 12, 2016, the Office of the Public Counsel, the Missouri Industrial Energy Consumers, Consumers Council of Missouri, and Midwest Energy Consumers Group (collectively, the “Movants”) filed a motion to consolidate this tariff case with Ameren Missouri’s pending general rate case, File No. ER-2016-0179. Movants state that the two cases should be consolidated because it is possible that Ameren Missouri may seek to add some level of investment in the pilot program to rate base during the true-up process in the rate case. Movants question whether it is appropriate for Ameren Missouri’s customers to

pay for any costs related to the pilot program and allege that there are additional unspecified concerns relating to revenue requirement and rate design.

The Commission's Staff filed a response to the motion to consolidate, noting that Ameren Missouri has not included any costs associated with the pilot program in its proposed revenue requirement in the pending rate case, but agreeing that Ameren Missouri may request recovery of some pilot program costs during the rate case true-up process. Staff states that this matter would be better taken into consideration in conjunction with the pending rate case, but does not provide any reasons why consolidation would be appropriate.

Ameren Missouri, the Missouri Department of Economic Development – Division of Energy, Natural Resources Defense Council, and Brightergy, LLC (collectively, "Respondents") filed responses opposing the motion to consolidate. Respondents provided the following reasons why consolidation of the two cases would not be appropriate:

- 1) consolidation would delay approval of the pilot program until 2017, resulting in Ameren Missouri losing the ability to utilize a federal tax credit that expires in 2016 worth approximately \$30,000 for the charging station that Ameren Missouri plans to install by the end of this year;
- 2) the intervening parties in the two cases are not identical, so consolidation would require some of the intervenors in this tariff case to expend significant time and expense to intervene and participate in the rate case, which involves many issues totally unrelated to the pilot program;
- 3) the numerous and varied issues involved in the rate case are not relevant to this tariff case, and if the pilot program is approved and the costs for one

charging station are requested as true-up costs in the rate case, those costs can be considered and determined along with any other true-up matters; and

- 4) Movants have raised concerns about the merits of the pilot program, but have failed to explain or justify why consolidation of the two cases is necessary or desirable.

Commission Rule 4 CSR 240-2.110(3) states that “[w]hen pending actions involve related questions of law or fact, the commission may order a joint hearing of any or all the matters at issue, and may make other orders concerning cases before it to avoid unnecessary costs or delay.” The Commission finds that this tariff case and Ameren Missouri’s pending general rate case do not involve related questions of law or fact. If the Commission were to approve the pilot program resulting in a request for recovery in rates of the costs of a charging station during the true-up process, the Commission would not be precluded or hindered from considering all relevant issues in determining the ratemaking treatment for those costs in the rate case. The Commission also finds that consolidation would create unnecessary costs and delay of the resolution of this tariff case. Consolidation would impose an unreasonable burden for some intervening parties in this case to participate in the rate case in order to represent their interests in the pilot program. In addition, Movants have not adequately explained why delay of the resolution of this matter until next year would justify Ameren Missouri’s loss of federal tax credits, resulting in increased costs of the pilot program. Since Movants have failed to meet their burden of showing that consolidation is appropriate under the Commission’s rules, the Commission will deny the motion for consolidation.

THE COMMISSION ORDERS THAT:

1. The motion for consolidation filed by the Office of the Public Counsel, the Missouri Industrial Energy Consumers, Consumers Council of Missouri, and Midwest Energy Consumers Group on September 12, 2016, is denied.
2. This order shall be effective when issued.



BY THE COMMISSION

Morris L. Woodruff

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney,
Rupp, and Coleman, CC., concur.

Bushmann, Senior Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, Missouri, this 28th day of September 2016.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 28, 2016

File/Case No. ET-2016-0246

Missouri Public Service Commission

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

James Owen
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

Brightergy, LLC

Andrew Zellers
1712 Main Street, 6th Floor
Kansas City, MO 64108
andyzellers@brightergy.com

ChargePoint, Inc.

Mark W Comley
601 Monroe Street., Suite 301
Jefferson City, MO 65102-0537
comley@ncrpc.com

Consumers Council of Missouri

John B Coffman
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net

Midwest Energy Consumers Group

David Woodsmall
807 Winston Court
Jefferson City, MO 65101
david.woodsmall@woodsmalllaw.com

Missouri Division of Energy

Alexander Antal
301 West High St.
P.O. Box 1157
Jefferson City, MO 65102
Alexander.Antal@ded.mo.gov

Missouri Industrial Energy Consumers (MIEC)

Edward F Downey
221 Bolivar Street, Suite 101
Jefferson City, MO 65101
efdowney@bryancave.com

Missouri Industrial Energy Consumers (MIEC)

Diana M Vuylsteke
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

Missouri Public Service Commission

Nathan Williams
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Nathan.Williams@psc.mo.gov

Natural Resources Defense Council

Henry B Robertson
319 N. Fourth St., Suite 800
St. Louis, MO 63102
hrobertson@greatriverslaw.org

Sierra Club

Henry B Robertson
319 N. Fourth St., Suite 800
St. Louis, MO 63102
hrobertson@greatriverslaw.org

Union Electric Company

Paula Johnson
1901 Chouteau Ave
St Louis, MO 63103
AmerenMOService@ameren.com

Union Electric Company

Russ Mitten
312 E. Capitol Ave
P.O. Box 456
Jefferson City, MO 65102
rmitten@brydonlaw.com

Union Electric Company

Wendy Tatro
1901 Chouteau Avenue
St. Louis, MO 63103-6149
AmerenMOService@ameren.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, prominent "M" and "W".

**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.