

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

In the Matter of the Application of Union)	
Electric Company d/b/a Ameren Missouri)	
For Authorization to Enter into a Contract)	File No. EM-2025- _____
With a Third-Party for Utilization of Fiber)	
Optic Capacity Not Currently Utilized for)	
Electric Operations.)	

**VERIFIED APPLICATION TO LEASE FIBER CAPACITY
AND MOTION FOR WAIVER**

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company") under 20 CSR 4240-2.060, 20 CSR 240-10.105, and 20 CSR 4240-4.017, and for its application for approval of a lease of fiber optic strands within fiber optic cable installed, maintained, and operated for Ameren Missouri's provision of electric service to its customers and motion for waiver, states as follows:

I. REQUEST FOR AUTHORIZATION UNDER SECTION 393.190.1

1. Ameren Missouri owns and operates communications infrastructure used for its provision of electric service to its customers, including fiber optic cable that is part of the Optical Ground Wire Cable ("OPGW") that is installed throughout its electric transmission system. The fiber optic cable is used for a variety of growing communication needs, including to operate Ameren Missouri's Supervisory Control and Data Acquisition ("SCADA") system, for protection and control of its transmission lines, for other Company voice and communication needs, and more specifically in the case of the transmission system, for line differential relaying, high-speed stability protection, and to provide synchrophasor capabilities. A typical fiber optic cable included within OPGW installed today generally consists of 72 to 96 strands, not all of which are currently needed for electric service purposes but which, over time, are expected to be needed for electric

service. With the expectation for fiber connectivity of grid technologies growing as technologies advance, it is impossible to predict precisely how much fiber will be necessary for reliable grid operations throughout the useful life of OPGW being installed today, but since the majority of the cost of deploying fiber consists of on-site construction and the labor necessary to complete the installation, it is far more cost-effective when installing fiber optic cable to install cable with more strands than may be needed earlier in the life of the cable to avoid the high cost of redeploying new cable prior to the end of the original cable's life. Doing so allows those communication needs to be met without incurring the high cost of installing new cable.

2. The existence of fiber capacity not needed for electric operations today affords Ameren Missouri the opportunity to lease or otherwise contract with third parties for their use of such excess capacity in exchange for fees for that use. This enables Ameren Missouri to capture those revenues, for virtually no additional cost since the OPGW and the fiber optic cable contained therein are already installed and operated by Ameren Missouri, and to ultimately reflect those revenues in revenue requirements used to set its electric service rates. This Application involves such a lease.

3. Specifically, Ameren Missouri has entered into a *Fiber License Agreement* (the "Lease") with M & A Electric Power Cooperative ("Licensee"). A copy of the Lease is attached hereto and incorporated herein by this reference as **Exhibit A-C**, and marked confidential in accordance with Commission Rule 20 CSR 4240-2.135(2)(A)6. and 7., as it contains information representing strategies employed, to be employed, or under consideration in contract negotiations, as well as maps and images of the Company's facilities. The Lease is contingent on the Commission's approval of this Application. Under the Lease, Licensee will lease two (2) fiber pairs of optic strands over an approximately 15-mile portion of Ameren Missouri's Clark-Galena

transmission line. The initial Lease term is for 10 years, and can be extended for up to four (4) additional five (5) year extension terms. Licensee is required to make annual payments to lease the fiber. Ameren Missouri can terminate the Lease under certain circumstances as provided in the Lease.

4. The revenues received under the Lease will offset Ameren Missouri's revenue requirement in each of its electric rate cases. Specifically, like other revenues received from leases of Company property, and for items like pole attachment fees, the revenues will be recorded to FERC Account 454 and a normal annualized level of such revenues should be included in the revenue requirement in each rate case.

5. Leasing the fiber optic strands to Licensee as proposed herein will have no impact on Ameren Missouri's operations since it will not impair, interfere with, or limit Ameren Missouri's ability to provide safe and adequate service to its customers, nor will it impair, interfere with, or limit Ameren Missouri's communication-related needs in providing that service. Consequently, this Application, which requests permission to lease these fiber optic strands pursuant to Section 393.190.1, meets the "not detrimental to the public interest" standard applicable to such requests. *See, e.g., Fee Fee Trunk Sewer Co v. Litz*, 596 S.W.2d 466, 468 (Mo. App., W.D. 1980) ("The Commission may not withhold its approval of the disposition of assets unless it can be shown that such disposition is detrimental to the public interest." *Citing State ex rel. City of St. Louis v. Pub. Serv. Comm'n*, 73 S.W.2d 393, 400 (Mo. banc 1934)).

II. FILING REQUIREMENTS FOR APPLICATIONS TO LEASE ASSETS

6. In support of its Application and in compliance with 20 CSR 4240-2.060(1) and 20 CSR 4240-10.105, Ameren Missouri provides the required information in the following sections of this Application:

- 20 CSR 4240-2.060(1) (A) through (M) – General Application Requirements¹
- 20 CSR 4240-10.105(1) (A) through (F) – Request for Approval of Lease

2.060(1)(A) – Applicant

7. The Company is a Missouri corporation doing business under the fictitious name of Ameren Missouri, organized and existing under the laws of the State of Missouri, in good standing in all respects, with its principal office and place of business located at One Ameren Plaza, 1901 Chouteau Avenue, St. Louis, Missouri 63103. The Company is engaged in providing electric and gas utility services in portions of Missouri as a public utility under the jurisdiction of the Commission.

2.060(1)(B) – Articles of Incorporation; (E) – Fictitious Name; (G) – Information Previously Submitted; (H) – Character of Business

8. The Company previously submitted to the Commission a certified copy of its Articles of Incorporation (See Case No. EA-87-105), as well as its Fictitious Name Registrations as filed with the Missouri Secretary of State's Office (See Case No. EA-2019-0181). These documents are incorporated by reference and made a part of this Application for all purposes. Attached hereto as **Exhibit B** is a copy of the Company's Certificate of Good Standing with the Missouri Secretary of State's Office.

2.020(1)I – Correspondence and Communication

9. Correspondence, communications, orders and decisions regarding this Application should be sent to the undersigned counsel as well as:

Steven Wills
Senior Director, Regulatory Affairs
Ameren Missouri

¹ Paragraphs (C), (D), (F) and (J) do not apply to Ameren Missouri.

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swills@ameren.com

2.060(1)(K) – Actions, Judgments, and Decisions; (L) – Fees

10. Ameren Missouri has no final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates that have occurred within three years of the date of this Application. By the nature of its business, the Company has, from time-to-time, pending actions in state and federal agencies and courts involving customer service or rates. Company has no annual report or assessment fees overdue to this Commission.

2.060(1)(M) – Affidavit

11. An Affidavit in support of this Application by an authorized individual is provided below.

10.105(A) – Brief Description of the Property Involved in the Transaction

12. The property consists of two (2) fiber pairs of optic strands over an approximately 15-mile portion of Ameren Missouri's Clark-Galena transmission line. See Section I of this Application for more details.

10.105(B) – Copy of the Contract or Agreement of Sale

13. The Lease is attached hereto as **Exhibit A-C**, and is addressed in more detail in Section I of this Application.

10.105(C) – Verification of Proper Authority

14. A verification of proper authority affirming that Ameren Missouri's signatory to the Lease had the authority to bind the Company is included in the Affidavit below.

10.105(D) – Not Detrimental to the Public Interest

15. As outlined in Section I of this Application, the proposed lease is not detrimental to the public interest since there will be no adverse impact on Ameren Missouri or its operations, or on its customers resulting from the Lease. In fact, customers will benefit from the offset to revenue requirements used to set Ameren Missouri's electric rates that the Lease revenues will provide.

10.105(E) – Purchaser's Balance Sheet and Income Statement

16. Because Licensee is not subject to the Commission's jurisdiction, this Application does not include a balance sheet or income statement showing the results of the proposed lease.

10.105(F) – Statement of Tax Impact

17. There will be no tax impact arising from the proposed lease.

MOTION FOR WAIVER OF 20 CSR 4240-4.017

18. The Company requests a variance from the 60-day notice requirement of 20 CSR 4240-4.017, which states, in relevant part:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case...

19. Pursuant to 20 CSR 4240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. The rule further provides that good cause includes "a verified declaration from the filing party that it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case..."

20. As indicated in the Verified Declaration below, the Company has not had any communications with the office of the Commission (as defined by 20 CSR 4240-4.015(10)) regarding any substantive issue likely to be in this case during the preceding 150 days.

WHEREFORE, Ameren Missouri prays that the Commission make and enter its order authorizing the lease of the fiber optic strands pursuant to the terms of the *Fiber License Agreement* and grant a waiver of 20 CSR 4240-4.017 for good cause shown.

Respectfully Submitted,

/s/ Jennifer L. Hernandez

Jennifer L. Hernandez, Mo Bar #59814

Corporate Counsel

Wendy K. Tatro, Mo Bar #60261

Director and Assistant General Counsel

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**ATTORNEYS FOR UNION ELECTRIC
COMPANY d/b/a AMEREN MISSOURI**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served by electronic mail on the Missouri Public Service Commission Staff at staffcounsel@psc.mo.gov and the Office of the Public Counsel at opc@opc.mo.gov this 4th day of March 2025.

/s/ Jennifer L. Hernandez

VERIFIED DECLARATION

I hereby declare that neither Ameren Missouri nor any other person on its behalf has had any communication with the office of the Missouri Public Service Commission as defined in Commission Rule 20 CSR 4240-4.015(10) within the one hundred fifty (150) days immediately preceding the filing of the Application regarding any substantive issue likely to be addressed in this case.

Under penalty of perjury, I declare that the foregoing declaration is true and correct to the best of my knowledge, information and belief.


/s/ Warren Wood

Vice President Regulatory and Legislative Affairs
Ameren Missouri

AFFIDAVIT

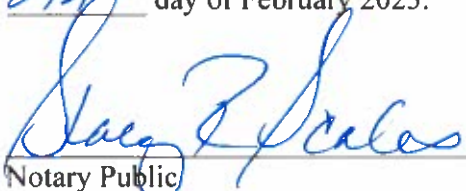
State of Missouri)
) ss
City of St. Louis)

I, Jackie A. Becker, having been duly sworn upon my oath, state that I am the Vice President, Engineering & Construction of Ameren Services Company, that the foregoing Application is true and correct to the best of my knowledge, information, and belief, and that the signatory to the *Fiber License Agreement* possessed the authority to execute and deliver the *Fiber License Agreement* and bind the Company thereto.



Jackie A. Becker
Vice President, Engineering & Construction
Ameren Services Company

Subscribed and sworn before me this 28th day of February 2025.



Notary Public

My Commission Expires 3/11/2026

