

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

In the Matter of the Application of	)	
Union Electric Company d/b/a	)	<b><u>Case No. ET-2021-0082</u></b>
Ameren Missouri for Approval of	)	Tracking No. YE-2021-0081
Its Surge Protection Program	)	

**STAFF MOTION FOR DETERMINATION**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Motion for Determination* in this matter hereby states:

1. Union Electric Company d/b/a Ameren Missouri filed an *Application and Request for Waiver* along with direct testimony and revised tariff sheets on September 21, 2020. The *Application* seeks approval of a new tariffed program to provide Ameren Missouri customers the option to obtain protection from electrical surges that could otherwise enter a customer's electric meter. Staff reviewed the *Application* and proposed tariff sheets and provided its recommendation on November 10, 2020. Ameren Missouri filed a *Response to Staff's Recommendation* on November 20, 2020. Staff now responds.

2. Staff's Recommendation states a clear request for relief both on the legal and technical merits of the *Application*, based on the tariff sheets provided by Ameren Missouri and the investigation and discovery Staff conducted. Staff is uncertain why Ameren Missouri would suggest the Commission should not issue an order regarding *Staff's Recommendation*. In fact, Staff clearly stated to Ameren Missouri that it would reserve any action to move forward with a procedural schedule, pending the Commission's order on its *Staff Recommendation*. To that end,

Staff asks that the Commission disregard Ameren Missouri's suggestion, and issue an order on *Staff's Recommendation* as is proper.

**WHEREFORE**, Staff prays that the Commission will accept this *Motion for Determination*; will proceed with issuing an order regarding *Staff's Recommendation*; will accept the argument in *Staff's Recommendation* and reject Ameren Missouri's *Application* and its revised tariff sheet bearing tracking number YE-2021-0081 as outside of the Commission's regulatory jurisdiction; that if the Commission finds that the proposed program is within its jurisdiction, it rejects the filed revised tariff sheets as vague and lacking sufficient support; that if Ameren Missouri offers the proposed program on a regulated or unregulated basis, the Commission order Ameren Missouri to book all costs related to the program such that future audits for rate increase requests can easily identify these expenses; that if Ameren Missouri offers the proposed program on a regulated or unregulated basis, the Commission order Ameren Missouri to develop a detailed list of frequently asked questions and responses for its customers; and that it grant such other and further relief as the Commission considers just in the circumstances.

**/s/ Whitney Payne**

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 23rd day of November, 2020, to all counsel of record.

**/s/ Whitney Payne**