

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at the
Commission's office in
Jefferson City on the 30th day
of April, 2025.

In the Matter of the Application of Union)
Electric Company d/b/a Ameren Missouri)
for a Certificate of Convenience and)
Necessity to Construct, Own, Operate)
And Maintain a Transmission Substation in)
Cooper County, Missouri)

File No. EA-2025-0028

**ORDER GRANTING CERTIFICATE
OF CONVENIENCE AND NECESSITY**

Issue Date: April 30, 2025

Effective Date: May 10, 2025

On October 18, 2024, Union Electric Company d/b/a Ameren Missouri filed an application requesting a certificate of convenience and necessity (CCN) pursuant to Section 393.170.1, RSMo.¹ Ameren Missouri amended that application on February 12, 2025. Ameren Missouri asks for Commission approval for authorizing it to construct, install, own, operate, maintain, and otherwise control and manage a new Cooper Substation, relocation and construction of new transmission lines, and changes to its existing Overton Substation, all located in Cooper County, Missouri (New Facilities).

On October 21, 2024, the Commission directed notice, established an intervention deadline, and directed the Staff of the Commission (Staff) to file a recommendation about the CCN request. The Commission granted intervention to: Renew Missouri, Janice

¹ Unless otherwise stated, all statutory citations are to the Revised Statutes of Missouri, as codified in the year 2024.

Payne, Gary Estes, Lynn Calicott, and Blair Gardner. A procedural schedule was set and on March 20, 2025, Staff filed a report recommending the certificate be granted with several conditions.

On April 18, 2025, Ameren Missouri filed a *Response to Staff Recommendation, Request to Eliminate Procedural Schedule and Request for Prompt Issuance of Report and Order* (Motion). The Motion states that Ameren Missouri agrees to the conditions proposed by the Commission's Staff in its Recommendation, except one which Staff and Ameren Missouri have agreed to change. The Motion further states that no parties request a hearing.²

Ameren Missouri is an "electrical corporation" and a "public utility" as defined in Subsections 386.020(15) and (43), RSMo. According to Subsections 393.170.1 and .2, RSMo (Supp. 2024), an electrical corporation may not construct electrical plant, with the exception of an energy generation unit of one megawatt or less, without first obtaining the permission and approval of this Commission. In granting a certificate, the Commission may give permission and approval when it has determined after due hearing³ that the construction is "necessary or convenient for the public service."⁴ The Commission may also impose such conditions as it deems reasonable and necessary upon its grant of permission and approval.⁵

² The landowners who intervened withdrew their intervention on April 18, 2025. Ameren Missouri represents that Renew Missouri does not request a hearing. The Office of the Public Counsel filed its *Non-Objection* on April 21, 2025.

³ The requirement for a hearing is met when the opportunity for hearing is provided and no proper party requests the opportunity to present evidence. No party requested a hearing in this matter; thus, no hearing is necessary. *State ex rel. Defenderfer Enterprises, Inc. v. Public Service Comm'n of the State of Missouri*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

⁴ Section 393.170.3, RSMo.

⁵ Section 393.170.3, RSMo.

The Commission articulated criteria (known as the Tartan criteria)⁶ to be used when evaluating applications for utility certificates of convenience and necessity in *In Re Intercon Gas, Inc.*⁷ The *Intercon* case combined the standards used in several similar certificate cases, and set forth the following criteria: (1) there must be a need for the service; (2) the applicant must be qualified to provide the proposed service; (3) the applicant must have the financial ability to provide the service; (4) the applicant's proposal must be economically feasible; and (5) the service must promote the public interest.

In its Recommendation, Staff stated there is a need for the service. Ameren Missouri currently has outage and congestion cost constraints at its Overton Substation. There are also coordinated flowgate congestion resolution requests from Mid-Continent Independent System Operator (MISO) in conjunction with the Southwest Power Pool (SPP) at the Overton Substation.

Staff also states that Ameren Missouri is qualified to provide the proposed service. Ameren Missouri owns and operates a 2,970-mile transmission system that operates at voltages from 345 kV to 138 kV.

Staff further states that Ameren Missouri has the financial ability to provide the service. Ameren Missouri intends to finance the project based on a permanent financing structure that aligns with the long-term debt and common equity proportions consistent with Ameren Missouri's capital structure for ratemaking purposes.

Staff further believes that the project is economically feasible. Staff notes that Ameren Missouri's answers to data requests revealed that the estimated cost for the

⁶ See Report and Order, *In re Application of Tartan Energy Company, L.C., d/b/a Southern Missouri Gas Company, for a Certificate of Convenience and Necessity*, Case No. GA-94-127, 3 Mo. P.S.C. 3d 173 (September 16, 1994).

⁷ 30 Mo P.S.C. (N.S.) 554, 561 (1991).

alternative solution to the proposed project is \$22 million. However, Ameren Missouri states that the estimate is likely underestimated, would be difficult to complete, and require multiple outages instead of one outage. Additionally, this solution would not provide the same reliability and would limit the ability of future generation expansion as compared to the proposed project.

Finally, Staff states that the proposed project would promote the public interest. The project is necessary due to outage constraints at the existing Overton substation and generation interconnection requests. Ameren Missouri is qualified to provide the service, has the financial ability, and the proposal is likely to be economically feasible. Thus, Staff concludes Ameren Missouri owning, operating, and maintaining the project promotes the public interest with the conditions recommended by Staff.

After reviewing the amended application and Staff's Recommendation, the Commission finds that the Tartan criteria have been satisfied. Thus, the Commission will grant the CCN subject to the conditions from Staff's Recommendation and from Ameren Missouri's response to that recommendation.

In its April 18 pleading, Ameren Missouri states that it plans to begin construction on May 12, 2025. Given the lack of opposition to the granting of the CCN, the Commission finds it reasonable to make this order effective in less than 30 days.

THE COMMISSION ORDERS THAT:

1. Ameren Missouri is granted a certificate of convenience and necessity to construct, install, own, operate, maintain, and otherwise control and manage the New Facilities, subject to the following conditions:

Construction and Clearing

A. Prior to construction, Ameren Missouri will notify all landowners in writing of the name and telephone number of Ameren Missouri's Construction Supervisor so they may contact the Construction Supervisor with questions or concerns before, during, and after construction. Such notice will also advise the landowners of the expected start, end dates, and changes to dates, if any, of construction on their properties.

B. Prior to construction, Ameren Missouri's Landowner Representative will personally contact each landowner to discuss access to the right-of-way on their parcel and any special concerns or requests about which the landowner desires to make Ameren Missouri aware.

C. If Columbia MO Water and Light reached a written agreement with a landowner when the original Columbia Water and Light easement was granted, calling for a particular method of clearing or right-of-way maintenance, Ameren Missouri will honor that agreement unless now prohibited by law from doing so, or unless an alternate agreement is reached with the current property owner.

D. From the beginning of construction until end of construction and clean-up of the right-of-way is complete, Ameren Missouri's Construction Supervisor will be on-site, meaning at or in the vicinity of the route, or on-call, to respond to landowner questions or concerns.

E. If requested by the landowner, Ameren Missouri will cut logs 12" in diameter or more into 10-foot to 20-foot lengths and stack them just outside the right-of-way for handling by the landowner.

F. Stumps will be cut as close to the ground as practical, but in any event will be left no more than 4" above grade.

G. Unless otherwise directed by the landowner, stumps will be treated to prevent regrowth.

H. Unless the landowner does not want the area seeded, disturbed areas will be reseeded with a blend of K31 fescue, perennial rye, and wheat grasses, fertilized, and mulched with straw.

I. Best management practices will be followed to minimize erosion, with the particular practice employed at a given location depending upon terrain, soil, and other relevant factors.

J. Gates will be securely closed after use.

K. Should Ameren Missouri damage a gate, Ameren Missouri will repair that damage.

L. Should a landowner experience radio or TV interference issues believed by the landowner to be attributed to Ameren Missouri's line, Ameren Missouri will work with the landowner in good faith to attempt to solve the problem.

M. Ameren Missouri will clearly mark guy wires.

Maintenance and Repair

N. With regard to future maintenance or repair and right-of-way maintenance after construction is completed, Ameren Missouri will make reasonable efforts to contact landowners prior to entry onto the right-of-way on their property to advise the landowners of Ameren Missouri's presence, particularly if access is near their residence.

O. All Ameren Missouri contractors will be required to carry and maintain a minimum of one million dollars of liability insurance available to respond to damage claims of landowners. All contractors will be required to respond to any landowner damage claims within 24 hours. All contractors will be required to have all licenses required by state, federal, or local law.

P. All right-of-way maintenance contractors will employ foremen that are certified arborists.

Q. If herbicides are used, only herbicides approved by the EPA and any applicable state authorities will be used, and herbicides will be used in strict compliance with all labeling directions.

R. Routine maintenance will not occur during wet conditions so as to prevent rutting.

S. Existing access roads will be used to access the right-of-way wherever available.

T. Prior to commencing any vegetation management on the right-of-way, Ameren Missouri will meet personally with all landowners to discuss Ameren Missouri's vegetation management program and plans for their property, and to determine if the landowner does or does not want herbicides used on their property. If the landowner does not want herbicides used, they will not be used.

Right-of-Way Acquisition

U. Every landowner from whom Ameren Missouri requires an easement will be contacted in writing initially, and in-person as a follow-up, if requested by the property owner. Ameren Missouri will negotiate with each such landowner in good faith on the

terms and conditions of the easement, its location, and compensation therefor. They will be shown a specific, surveyed location for the easement and be given specific easement terms.

V. After construction is completed, every landowner will be contacted by Ameren Missouri's Construction Supervisor to ensure construction and clean-up was done properly, to discuss any concerns, and to settle any damages that may have occurred.

W. With regard to landowners over whose land an existing Columbia Water and Light easement exists, Ameren Missouri will honor the location shown on the plat given to the original grantor unless otherwise agreed by the landowner and will not treat the easement as a "blanket" easement over the rest of the property.

X. If a landowner so desires, Ameren Missouri will give the landowner a reasonable period of time in advance of construction to harvest any timber the landowner desires to harvest and sell.

Y. Ameren Missouri's right-of-way acquisition policies and practices will not change regardless of whether Ameren Missouri does or does not yet possess a Certificate of Convenience or Necessity from the Commission.

Permits

Z. Ameren Missouri shall provide Staff copies of all permits applicable to the project construction. Any such permits shall be provided within 60-days of Ameren Missouri or its contractors obtaining the permit.

Capacitor Bank

AA. The approval of this Application does not include the approval for a new Capacitor Bank referenced in paragraph 7 of the initial Application.

2. The Commission reserves the right to consider the ratemaking treatment to be afforded the expenditures and properties herein involved, and the resulting cost of capital, in any later proceeding.

3. This order shall become effective on May 10, 2025.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

Hahn, Ch., Coleman, Kolkmeier,
and Mitchell CC., concur.

Pridgin, Deputy Chief 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 30th day of April 2025.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 30, 2025

File/Case No. EA-2025-0028

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

Sincerely,



**Nancy Dippell
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.