

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri’s 2023 Utility Resource Filing) File No. EO-2024-0020
Pursuant to 20 CSR 4240-Chapter 22.)

**GRAIN BELT EXPRESS LLC MOTION FOR COMMISSION ORDER ON
DEFICIENCIES AND CONCERNS**

COMES NOW Grain Belt Express LLC (“Grain Belt Express”), by and through counsel, and respectfully files this motion requesting that the Commission issue an order that contains its findings as required by Commission Rule 20 CSR 4240-22.080(16) regarding the triennial Integrated Resource Plan (“IRP”) filed by Union Electric Company d/b/a Ameren Missouri (“Ameren”). Specifically, Grain Belt Express requests that the Commission issue an order that either (i) finds that Ameren’s IRP filing does not demonstrate compliance with the requirements of Chapter 22 of the Commission’s Rules and that Ameren’s resource acquisition strategy does not meet the requirements of Chapter 22, or (ii) establishes a procedural schedule including a hearing on the deficiencies and concerns identified by Grain Belt Express and other parties. In support of its motion, Grain Belt Express states as follows:

I. Background

1. On July 28, 2023, Ameren filed a Notice with the Commission indicating its intent to file its triennial IRP, as required by the Commission’s Electric Utility Resource Planning reporting requirements contained in 20 CSR 4240-22 (“Chapter 22”). Ameren subsequently filed its triennial IRP on September 26, 2023 (“2023 IRP”).

2. The Commission’s September 27, 2023 *Order Directing Notice and Setting Deadline for Intervention Requests* noted that Commission Rule 20 CSR 4240-22.080(7) requires the Commission Staff to review Ameren’s filing and to file a report no later than 150 days after

the utility's scheduled compliance filing date. Subsection (8) of the same Rule allows the Office of Public Counsel and other parties to file a report within that same 150 days, which the Commission determined was February 28, 2024.

3. On February 28, 2024, Grain Belt Express filed its comments on Ameren's 2023 IRP. Grain Belt Express asserted numerous deficiencies and concerns with Ameren's 2023 IRP, noting specifically that the IRP was deficient in that it (1) failed to evaluate, identify, consider or analyze all existing supply-side resources, namely, Grain Belt Express and its associated energy resources, as required by Commission Rule 20 CSR 4240-22.040; (2) failed to consider siting and permitting costs for certain interconnection related costs and system upgrades in accordance with Commission Rule 20 CSR 4240-22.060; and (3) failed to recognize Grain Belt Express as an advanced transmission system technology in accordance with Commission Rule 20 CSR 4240-22.045 and Commission Rule 20 CSR 4240-22.070. Renewable resources in southwest Kansas, which can be directly delivered to Ameren's service territory by the Grain Belt Express project, feature unique characteristics that are not reflected in the generic MISO wind resources modeled by Ameren in its 2023 IRP. Ameren's failure to model the unique characteristics of these resources, despite their impending direct connection with Ameren's service territory, remains a significant deficiency that must be addressed.

4. In addition to these deficiencies, Grain Belt Express further noted three concerns, specifically that (1) Ameren's failure to model Grain Belt Express and its associated geographically diverse high capacity generation has led to the misleading conclusion that a significant quantity of combined cycle natural gas generation is required; (2) Ameren failed to address the risk associated with reliance upon natural gas units, particularly combined cycle units,

which are particularly vulnerable to interruptions in fuel supply; and (3) Ameren’s plan for renewable generator replacement at retiring dispatchable energy sites is not realistic.

5. Six other intervening stakeholders filed comments in response to Ameren’s IRP expressing concerns and asserting certain deficiencies. Sierra Club, Renew Missouri Advocates (“Renew Missouri”), Council for the New Energy Economics (“NEE”), and the Natural Resources Defense Council (“NRDC”) similarly raised the exclusion of Grain Belt Express-enabled resources in Ameren’s list of potential supply-side resources as a deficiency that remains unresolved.

6. On June 11, 2024, Ameren, the Commission Staff, and the intervenors submitted a Joint Filing that discussed resolution of several of the concerns and deficiencies raised by intervenors and identified the concerns and deficiencies that remain unresolved. Also on June 11, 2024, Ameren filed its response to the unresolved deficiencies and concerns. Of Grain Belt Express’ six deficiencies and concerns, only one concern was reflected as “resolved” in the Joint Filing.

7. On June 7, 2024, Ameren filed an application for a Certificate of Convenience and Necessity (“CCN”) to construct, install, own, operate, maintain and otherwise control and manage a new 800 MW multi-unit simple cycle natural gas facility in St. Louis County, Missouri, referred to as the Castle Bluff Project.¹ In justifying Commission approval of the project versus alternative supply side resources, multiple witnesses for Ameren cited to the need for the project, as outlined in its 2023 IRP, which the Commission never approved and which remains deficient for the reasons demonstrated by Grain Belt Express, NEE, Siera Club, Renew Missouri, and NRDC.

8. The 2023 IRP is not the only forum in which Grain Belt Express has expressed concerns with Ameren’s failure to study or model the Grain Belt Express Project. On June 27,

¹ File No. EA-2024-0237.

2024, Grain Belt Express filed a motion to intervene in the Castle Bluff proceeding, arguing that Ameren had not yet provided support that the Castle Bluff Project (or a gas facility of the same size and scope) is needed, a prudent investment, or part of a lowest cost generation supply portfolio. Grain Belt Express argued that any approval of a peaking capacity resource must be evaluated in conjunction with all available energy supply resources, like those made available by Grain Belt Express.

9. Grain Belt Express agreed to a settlement agreement in the Castle Bluff proceeding assuming the following provision was incorporated into the settlement agreement:

In its next annual integrated resource planning (“IRP”) update (currently anticipated to be filed by October 1, 2025), Ameren Missouri will run its IRP model and report on the results with Kansas wind and solar included as a supply-side resource, using data for generic Kansas wind and solar resources, plus an ownership and delivery cost based on discussions between Ameren Missouri and Grain Belt Express. If a firm delivery cost cannot be provided by Grain Belt, Ameren Missouri will use a range of delivery costs to account for uncertainties in what the actual ownership and delivery costs may be, as determined by the parties. A firm delivery cost shall be provided by Grain Belt within 30 days of a final Commission Order in this proceeding or, if such a firm delivery cost cannot be provided within such time frame, a range will be provided by Grain Belt Express within that time frame. The estimated delivery cost for Kansas supply-side resources should reflect the same base year for cost and inflation assumptions as the estimated delivery cost of MISO supply-side resources. Further, the estimated delivery cost of MISO supply-side resources should include realistic assumptions regarding generation tie line costs and affected system costs.

10. This provision was incorporated into the Stipulation and Agreement and on October 30, 2024, the Commission issued an Order approving the Stipulation and Agreement and granting Ameren’s request for a CCN for the Castle Bluff Project.

11. Consistent with the terms of the Stipulation and Agreement, Grain Belt Express provided the range of delivery cost to Ameren on November 27, 2024, for use in Ameren’s 2025 IRP update. Grain Belt Express requested discussions with Ameren regarding the delivery cost information, the data to be used for generic Kansas wind and solar resources in Ameren’s 2025

IRP update, and how Ameren plans to account for the reliability and resiliency benefits of high voltage direct current (“HVDC”) technology in its 2025 IRP update. Substantive discussions between Grain Belt Express and Ameren on those issues have yet to occur.

10. Rather than working towards its 2025 Annual Update, on February 13, 2025, Ameren filed its Notice of Intent to change the preferred resource plan (“PRP”) as set forth in its 2023 IRP, stating that the PRP was no longer appropriate and noted that its Board of Directors had adopted a new PRP. Thereafter, on February 28, 2025, in Commission File No. EO-2025-0235, Ameren filed its Notice of Change in Preferred Resource Plan, citing to a growth in data customer demand of 1.5 GW by 2032 and 2.5 GW by 2040, plus revisions to its customer energy efficiency and demand response programs under the provisions of the Missouri Energy Efficiency Investment Act.

11. In creating its new PRP (the “2025 PRP”), Ameren noted that it made numerous updates to its assumptions and data, stating as follows:

[i]n addition to these key changes, Ameren Missouri has also revised its assumptions for the costs of certain resources to reflect current and expected market conditions. Resources with updated costs include wind, simple cycle gas combustion turbine generators (CTG), and natural gas combined cycle (NGCC) generation. Ameren Missouri also reviewed its assumptions for natural gas prices, carbon prices, power prices and capacity prices and determined they were still appropriate for evaluating the performance of alternative resource plans.²

12. Ameren did not, as a part of its 2025 PRP filing, include generic Kansas wind and solar resources delivered by Grain Belt Express, and has not otherwise taken steps to incorporate the terms of the Castle Bluff Stipulation and Agreement into its 2025 PRP filing, despite its willingness to update other assumptions and data. Ameren also noted its intention to file multiple

² File No. EO-2025-0235, February 28, 2025 Change in Preferred Plan Report at p. 1.

additional CCNs for new generating projects in 2025, including but not limited to new solar facilities, battery storage facilities and natural gas facilities.³

13. Since the beginning of 2025, Ameren has filed the following 60-day notices for multiple additional CCNs: (1) EA-2025-0198, January 6, 2025 notice for renewable generation and battery storage; (2) EA-2025-0238, March 3, 2025 notice for new generation and battery energy storage systems; (3) EA-2025-0239, March 3, 2025 notice for renewable generation. As of the date of this filing, applications have yet to be filed in any of these new proceedings.

14. Further, on May 14, 2025, Ameren filed its Application for approval of its Large Load Customer (“LLC”) rate plan and associated tariffs and requested a Commission Order approving the LLC rate plan by December 1, 2025.⁴ Ameren states in its Application that the LLC rate plan is being proposed due to the substantial economic investment and development expected in the near to intermediate term in Ameren’s service territory, and the dramatic growth these developments are expected to bring in Ameren’s load.⁵

15. Despite the requirement under Rule 20 CSR 4240-22.080(16) that the Commission issue an Order “which contains its findings” with regard to the electric utility’s 2023 triennial IRP filing, the Commission has yet to do so. This inaction has permitted Ameren to forge ahead with implementation of its 2025 PRP, which perpetuates the unresolved deficiencies and concerns, namely, failing to consider all available supply-side resources, and in particular the supply-side resources that Grain Belt Express will deliver directly into Ameren’s service territory.

16. Grain Belt Express requests that the Commission issue the required order pursuant to Rule 20 CSR 4240-22.080(16) and find that Ameren is not in compliance with IRP rules,

³ File No. EO-2025-0235, February 28, 2025 Change in Preferred Plan Report at p. 3.

⁴ File No. ET-2025-0184.

⁵ LLC Rate Plan Application at p. 4.

specifically that it is deficient because (i) it did not study Grain Belt Express and associated resources, (ii) it failed to consider siting and permitting costs for MISO resources, and (iii) it fails to recognize Grain Belt Express as an advanced transmission system technology under subpart A of 20 CSR 4240-22.080(16). Alternatively, Grain Belt Express requests that the Commission establish a procedural schedule that includes a hearing under subpart C of 20 CSR 4240-22.080(16) in order to further examine the unresolved deficiencies.

II. Argument

A. The Commission Must Act Now to Avoid Long-Term Harm

17. 20 CSR 4240-22.010 states:

1. The commission’s policy goal in promulgating this chapter is to set minimum standards to govern the scope and objectives of the resource planning process that is required of electric utilities subject to its jurisdiction in order to ensure that the public interest is adequately served. Compliance with these rules shall not be construed to result in commission approval of the utility’s resource plans, resource acquisition strategies, or investment decisions.
2. The fundamental objective of the resource planning process at electric utilities shall be to provide the public with energy services that are safe, reliable, and efficient, at just and reasonable rates, in compliance with all legal mandates, and in a manner that serves the public interest and is consistent with state energy and environmental policies.

Notably, the IRP policy goal mentions the “minimum standard” required of all electric utilities within the state. Ameren has not demonstrated compliance with even the minimum standards of the Commission’s IRP rules. Specifically, Ameren did not evaluate “all existing supply-side resources” and did not “identify a variety of potential supply-side resource options which the utility can reasonably expect to use, develop, implement, or acquire.”⁶ It cannot be seriously argued that Kansas wind and solar—which Grain Belt Express will deliver directly into Ameren’s territory—is not a potential supply-side resource option that Ameren can reasonably

⁶ 20 CSR 4240-22.040.1.

expect to use or acquire. Accordingly, Ameren must “collect generic cost and performance information sufficient to fairly analyze and compare” Kansas wind and solar to other potential supply-side resources.⁷ Ameren has repeatedly failed to meet this minimum standard.

18. The Commission has a duty to issue an order articulating whether Ameren’s resource acquisition strategy either does or does not meet the requirements of the rules. Grain Belt Express clearly articulated deficiencies and concerns with Ameren’s 2023 IRP which have not been resolved and which Ameren is now perpetuating with its 2025 PRP and its upcoming spate of new CCN applications. This confluence of factors, combined with the recent passage of Missouri Senate Bill 4, discussed below, demonstrate that the deficiencies and concerns noted by Grain Belt Express and other parties in Ameren’s 2023 IRP are no longer theoretical or academic. Rather, these deficiencies and concerns have now become ingrained and systemic and bring with them a very real, long-term price tag that Missouri ratepayers will pay for.

17. In its Memorandum on Ameren’s 2025 PRP, the Commission Staff voiced similar affordability concerns. Staff noted:

if, as a part of the 2025 PRP, the Company grows its generation fleet [due to anticipated data center load growth] which in turn increases revenue requirement, but the load is not that which was anticipated in the 2025 PRP, levelized rates increase for ratepayers. This is of greater concern given the 2025 PRP has the second highest PVRR (present value revenue requirement) of all the alternative resource plans modeled and/or analyzed by the Company.⁸

Staff also noted its concern with Ameren’s continued reliance on the RAP level of winter peak demand savings that was included in its 2023 IRP and about which Staff and other stakeholders voiced concerns in the 2023 IRP.

⁷ *Id.*

⁸ File No. EO-2025-0235, *Staff’s Memorandum in Response to Ameren Missouri’s Change in Preferred Resource Plan*, at p. 4.

18. Staff elected not to make any recommendations concerning Ameren’s 2025 PRP. However, the Commission can and should scrutinize Staff’s concern regarding the significant cost of Ameren’s planned additions to its rate base through further adjudication in this proceeding.⁹

19. The passage of new legislation in Missouri further underscores the need to ensure the identified deficiencies and concerns are addressed by the Commission in a timely fashion. The recently adjourned General Assembly passed Senate Bill 4 (“SB 4”), which provides the utility with favorable regulatory treatment for investments in gas facilities, and also requires the Commission to remake the IRP process. After the effective date of SB 4 (August 28, 2025), the Commission must undertake an extensive rulemaking proceeding to implement the new IRP process, as outlined by SB 4. The rulemaking proceeding is required to be completed no later than August 28, 2027.¹⁰ As part of the rulemaking proceeding, the Commission will “publish a schedule for electrical corporations to file an integrated resource plan every four years, with the first integrated resource plan or plans filing to occur not before the first day of the nineteenth month after publication of such schedule.”¹¹ Assuming the Commission uses most or all of the time allotted for the rulemaking (a reasonable assumption, given the complexity and importance of the IRP process), the first IRP filings under the new rules will be in March 2029 at the earliest. There are three electric corporations with load serving obligations subject to the Commission’s

⁹ In addition to the explicit requirement for the Commission to issue an order concerning Ameren’s 2023 IRP—as set forth in 20 CSR 4240-22.080(16)—the Commission also has general supervisory authority over Ameren and can initiate a hearing on its own motion to examine any act by Ameren that may be unjust, unreasonable, unjustly discriminatory or unduly preferential or any wise in violation of any provision of law.” Section 393.140(1), (2), (5) RSMo.

¹⁰ New Section 393.1900.1 RSMo.

¹¹ New Section 393.1900.2 RSMo.

jurisdiction and the current IRP rules utilize a staggered schedule for those electric corporations, such that none of them file their triennial IRP in the same year.¹²

20. If the Commission establishes a similar structure for the new IRP filings, the first Ameren filing under the new IRP rules could be as late as 2031. Accordingly, the passage of SB 4 exacerbates the need for the Commission to address the deficiencies in Ameren’s 2023 Triennial IRP now, as Ameren will not file an IRP under the new rules for four to six years from present (six to eight years from the filing date of the 2023 IRP Triennial). Any further delay in addressing the deficiencies in Ameren’s 2023 triennial IRP is particularly harmful in a period of rapid load growth, massive capital investments in new supply side resources, and momentous decisions that will impact Ameren’s customers for decades to come.

B. Ameren’s Refusal to Study Kansas Wind and Solar Delivered by Grain Belt Express is Inexplicable

21. Grain Belt Express holds a CCN pursuant to Section 393.170.1 RSMo., as determined by the Commission’s March 20, 2019 Report & Order on Remand in File No. EA-2016-0358, and as amended by the Commission’s October 12, 2023 Report and Order in File No. EA-2023-0017, to construct, install, own, operate, maintain, and otherwise control and manage an approximately 800-mile, overhead, multi-terminal ± 600 kilovolt (“kV”) HVDC transmission line and associated facilities including converter stations and alternating current (“AC”) connector lines (the “Grain Belt Express Project” or “Project”).

22. Since Grain Belt Express filed its comments on Ameren’s 2023 IRP on February 28, 2024, it has continued to accomplish major milestones and progress towards construction of the Project. In the second half of 2024, the Project received approval for the siting of AC Collector Lines that will interconnect generation projects into the HVDC system, and Grain Belt Express

¹² 20 CSR 4240.22.080(1).

continues to make meaningful progress in the engineering and procurement needed to commence construction on both the AC and HVDC infrastructure. One major milestone announced on May 7th, 2025 was the award of contracts worth \$1.7B to Quanta and Kiewit for EPC services associated with the HVDC portion of the transmission line.¹³

23. Once constructed, the Grain Belt Express Project will be capable of delivering a total of up to 2,500 MW of power into the MISO and AECI grids at delivery points in Missouri, and will (a) allow large amounts of energy from southwestern Kansas to access the MISO markets and compete to serve customer load, (b) support development of wind and solar facilities where the resources are such that electricity can be generated at significantly lower cost and greater output than currently available in Missouri, (c) enable low-cost energy to access the Missouri electricity markets and reduce wholesale and retail electric prices, and (d) help customers in Missouri meet their various renewable energy and carbon reduction standards. The Commission’s recent Report & Order recognized that “Grain Belt remains the best option for low cost renewable energy delivered into MISO” and that “the Project will provide a better fit to local capacity needs than local solar resources.”¹⁴

24. Ameren’s 2023 IRP and 2025 PRP continues its ambitious plan to reduce CO2 emissions 60% by 2030, 85% by 2040 and to reach net zero emissions by 2045. The Grain Belt Express Project is expected to deliver up to 15 million megawatt-hours (“MWh”) of clean energy per year into the Project’s Missouri converter station, and up to 15 million MWh of clean energy into the Project’s Illinois converter station. The total annual deliveries of up to 30 million MWh will be enough to serve the annual electricity needs of around 3 million homes.

¹³ See, <https://grainbeltexpress.com/grain-belt-express-awards-1-7b-to-u-s-contractors-quanta-and-kiewit-to-build-largest-transmission-line-in-u-s-history/>

¹⁴ File No. EA-2023-0017, Report and Order, pp. 20-23.

25. Ameren’s 2023 IRP reflects a supply side planning strategy dependent on “the development of commercially viable clean dispatchable technologies in the coming years,” but does not evaluate the reliability and resiliency benefits associated with geographically diverse, uncorrelated wind or solar assets located outside of the MISO region. Grain Belt Express can deliver wind from Kansas that is uncorrelated to solar production within MISO. This relationship will reduce risk of supply shortfall and therefore reduce the need for backup generation. The Project can also deliver solar energy from Kansas that will continue producing at a higher capacity factor for nearly two hours later than solar within Missouri, reducing the pace of ramping required in the evening. Grain Belt Express will provide geographically diverse resources to Missouri, which “inevitably helps to reduce system variability and uncertainty in regional energy systems.”¹⁵

26. Ameren notes in its new supply-side resources analysis that “large scale wind resources exhibit the lowest cost on a levelized cost of energy (LCOE) basis among all candidate resource options [with or] without tax incentives.”¹⁶ However, “[h]istorically, Missouri has seen limited deployment of wind generation compared to its western neighbor states,” and “[i]n the near-term, wind project opportunities in Ameren’s region appear more limited than solar project opportunities.”¹⁷ Yet, the supply-side resources analysis does not assess the availability of wind generation in western neighbor states. Grain Belt Express has received state siting approvals in all four states and has acquired 95% of the right of way for Phase 1 for delivery of Western Kansas wind into the Ameren service territory.

27. Ameren’s stated goal in its 2023 IRP is to “ensure that we can meet our customers’ energy needs in all hours, even during extreme weather events,” and notes in its filing that, “[o]ver

¹⁵ File No. EA-2023-0017, Report and Order, p. 60

¹⁶ File No. EO-2024-0020, 2023 Integrated Resource Plan, Ch. 6, p. 1.

¹⁷ *Id.* pp. 9-10.

the last year, we have seen increasing concerns regarding reliability and the sufficiency of resources to meet customer needs, especially during extreme weather events.”¹⁸ As the Commission further noted in its recent Report and Order, Grain Belt Express “will bring the interconnectivity to multiple regions to improve the reliability and resiliency of the grid for Missourians and in the interest of national security. This will help guard against price spikes and outages such as those experienced by Winter Storm Uri and Elliot.”¹⁹

28. In earlier IRP filings, Ameren studied Grain Belt Express and the associated generation.²⁰ Without explanation and despite the numerous significant and Commission-recognized benefits of the Grain Belt Express Project, Ameren continues to promote and favor its own rate-based projects over a Commission-approved project that is substantially further developed.

III. Conclusion

29. The relief sought by Grain Belt Express is modest—it is simply that Ameren collect generic cost and performance data from Kansas wind and solar resources that will be delivered by Grain Belt Express and incorporate that cost and performance data into its IRP. The Commission already granted Grain Belt Express a CCN and found that the energy to be delivered by Grain Belt Express will benefit Missouri ratepayers, so why does the state’s largest retail utility refuse to even study it?

¹⁸ File No. EO-2024-0020, 2023 Integrated Resource Plan, Executive Summary, p. 1.

¹⁹ File No. EA-2023-0017, Report and Order, p. 56.

²⁰ *See, e.g.*, File No. EO-2021-0021 (Ameren 2020 IRP), Chapter 10, “Strategy Selection,” Section 10.2 “Additional Alternative Resource Plans,” denoting Grain Belt Express in Table 10.5 as “Plan Y”, which was the second highest scoring plan of all the alternative resource plans Ameren assessed; File No. EO-2022-0100 (Ameren 2021 annual IRP update), “cost assumptions for a PPA with Grain Belt Express, including investment in wind resources and commensurate investment in the HVDC transmission line, would be similar to what we assumed in the 2020 IRP with Ameren Missouri owning it....”

WHEREFORE, Grain Belt Express respectfully requests the Commission issue an order either: (i) finding that Ameren's IRP filing does not demonstrate compliance with the requirements of Chapter 22 of the Commission's Rules and that Ameren's resource acquisition strategy does not meet the requirements of Chapter 22, or (ii) establishing a procedural schedule and scheduling a hearing on the deficiencies and concerns identified by Grain Belt Express and other parties, along with any such further relief the Commission may deem just and reasonable.

Respectfully submitted,

/s/ Anne E. Callenbach

Anne E. Callenbach MBN 56028
Andrew O. Schulte MBN 62194
Sean Pluta MBN 70300
Jared Jevons MBN 75114
Polsinelli PC
900 W. 48th Place, Suite 900
Kansas City, Missouri 64112
(816) 572-4754

acallenbach@polsinelli.com
aschulte@polsinelli.com
spluta@polsinelli.com
jjevons@polsinelli.com

ATTORNEYS FOR GRAIN BELT EXPRESS LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties listed on the official service list by email, this 27th day of May 2025.

/s/ Anne E. Callenbach
Attorney for Grain Belt Express