

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri's Notice of a Change in its) File No. EO-2025-0235
Preferred Resource Plan.)

**GRAIN BELT EXPRESS LLC's REPLY TO STAFF'S MEMORANDUM REGARDING
AMEREN MISSOURI'S CHANGE IN PREFERRED RESOURCE PLAN**

COMES NOW Grain Belt Express LLC ("Grain Belt Express"), by and through counsel, and respectfully files this Reply to the Memorandum of the Staff of the Missouri Public Service Commission ("Staff") regarding the Notice of Change in Preferred Resource Plan ("2025 PRP") filed by Union Electric Company d/b/a Ameren Missouri ("Ameren"). Although Staff identified important concerns regarding the difficulties associated with planning for data center load and assumptions regarding energy efficiency programs, Staff failed to acknowledge continuing deficiencies from the Ameren's 2023 triennial Integrated Resource Plan ("2023 IRP") that are perpetuated by Ameren's 2025 PRP. In support of its Reply, Grain Belt Express states as follows:

I. Ameren's 2023 Triennial Integrated Resource Plan

1. Ameren filed its 2023 IRP with the Missouri Public Service Commission ("Commission") on September 26, 2023 in Commission File No. EO-2024-0020.

2. Pursuant to the procedural rules contained in 20 CSR 4240-22.080, 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 renewable 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.

3. Six other intervening stakeholders filed comments in response to Ameren’s 2023 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”) also identified the exclusion of Grain Belt Express-enabled Kansas renewables from Ameren’s list of potential supply-side resources as a deficiency.

4. The three deficiencies identified by Grain Belt Express—including the exclusion of Kansas renewables from Ameren’s list of potential supply-side resources—remain unresolved. The Commission has not yet issued an order addressing the unresolved deficiencies. Concurrently with this Reply, Grain Belt Express is filing a Motion in File No. EO-2024-0020 to request that the Commission issue an order addressing the unresolved deficiencies, as required by 20 CSR 4240-22.080(16). Specifically, Grain Belt Express is requesting 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) determines that the Commission will hold a hearing on the deficiencies and concerns identified by Grain Belt Express and other parties.

II. Ameren's 2025 Change in Preferred Resource Plan

5. On February 13, 2025, in File No. EO-2024-0020, Ameren filed its Notice of Intent to change the 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 the instant proceeding, Ameren filed its 2025 PRP, 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 (“MEEIA”).

6. In creating its 2025 PRP, Ameren Missouri 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.¹

7. Ameren did not, as a part of its 2025 PRP filing, include generic Kansas wind and solar resources delivered by Grain Belt Express, despite its willingness to update other assumptions and data.

8. The 2025 PRP filing also noted Ameren's intention to file multiple additional CCNs for new generating projects in 2025, including but not limited to new solar facilities, battery storage facilities and natural gas facilities.² Ameren has already filed multiple 60-day notices for

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

² File No. EO-2025-0235, February 28, 2025 Change in Preferred Plan Report at p. 3.

additional CCN applications.³ This is in addition to the CCN already granted for a new 800 megawatt (“MW”) multi-unit simple cycle natural gas electric generation facility with fuel oil backup capability to be constructed in St. Louis County, Missouri (the Castle Bluff Project) in File No. EA-2024-0237.

9. On May 14, 2025, Staff filed its Memorandum in response to Ameren Missouri’s Change in Preferred Resource Plan (“Staff’s Memorandum”). Staff’s Memorandum provides comments on the “two key changes in the planning environment” as identified by Ameren in its 2025 PRP filing. 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.⁴

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.

10. 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 File and/or File No. EO-2024-0020.

³ (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.

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

III. Persistent Deficiencies in Ameren’s Resource Plans Must Be Addressed

11. As noted by Grain Belt Express in its Motion filed concurrently herewith in File No. EO-2024-0020, the Commission must issue an order to address the unresolved deficiencies in the 2023 IRP that also have the effect of invalidating the 2025 PRP. In both the 2023 IRP and the 2025 PRP, 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.”⁵ It cannot be seriously argued that Kansas wind and solar—higher quality renewable resources than are available within Missouri that Grain Belt Express will deliver directly into Ameren’s territory—are not potential supply-side resource options that Ameren can reasonably 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.⁶

12. The Commission’s IRP Rules do not explicitly address the method by which the Commission and interested parties should address deficiencies in Ameren’s 2025 PRP. However, the Commission has general supervisory authority over Ameren and may “investigate the methods employed” by Ameren “in manufacturing, distributing and supplying ... electricity” and may “order such reasonable improvements as will best promote the public interest.”⁷ The Commission may also hold hearings upon its own motion or upon complaint to determine whether “the rates or

⁵ 20 CSR 4240-22.040.1.

⁶ *Id.*

⁷ Section 393.140(1)-(2) RSMo.

charges or the acts or regulations” of Ameren “are unjust, unreasonable, unjustly discriminatory or unduly preferential or in any wise in violation of any provision of law.”⁸

13. Integrated resource planning is one of the most important “acts” performed by a load-serving electric corporation, especially in this era of rapidly increasing electric demand, massive capital investment, and evolving technologies. Accordingly, the Commission has discretion to issue an order setting a hearing regarding Ameren’s 2025 PRP and—for the reasons explained in the Motion submitted in File No. EO-2024-0020—the Commission is *required* to issue an order on the deficiencies in Ameren’s 2023 IRP.

14. Because the identified deficiencies with the 2023 IRP are fully present in the 2025 PRP, Grain Belt Express hereby incorporates the arguments made in the 2023 IRP proceeding into this proceeding. Specifically, the Grain Belt Express refers the Commission to Grain Belt Express’ concurrent Motion submitted in File No. EO-2024-0020 and requests that the Commission issue an order in File No. EO-2024-0020 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 File No. EO-2024-0020.

15. Because the same deficiencies are present in Ameren’s 2025 PRP, the relief requested in File No. EO-2024-0020 will have the effect of also addressing the issues in this proceeding (File No. EO-2025-0235).

⁸ Section 393.140(5) RSMo.

IV. Conclusion

16. 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 comparable to those that will be delivered by Grain Belt Express and incorporate that cost and performance data into its IRP process. 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?

WHEREFORE, Grain Belt Express respectfully requests the Commission refer to Grain Belt Express’ concurrent Motion in File No. EO-2024-0020 and grant the relief sought therein and for any such further relief as 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