

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

In the Matter of the Application of)
Union Electric Company d/b/a Ameren)
Missouri for Approval of New Modified) File No. ET-2025-0184
Tariffs for Service to Large Load)
Customers)

PROCEDURAL CONFERENCE
VOLUME 1
FRIDAY, JUNE 13, 2025
10:00 a.m.

Jefferson City, MO
via WebEx

JOHN CLARK, Presiding
SENIOR REGULATORY LAW JUDGE

Reported By:
Sarah M. Elvington

1 T R A N S C R I P T I O N

2 JUDGE CLARK: Let's go on the record. Emily, if
3 you could start recording.

4 Today's date is June 13th of 2025 and the
5 current time is 10:00 a.m. The Commission has set aside this
6 time today for a procedural conference in the case captioned
7 as: In the Matter of the Application of Union Electric d/b/a
8 Ameren Missouri for Approval of New Modified Tariffs for
9 Service to Large Load Customers. And that is Case Number
10 ET-2025-0184.

11 My name's John Clark. I'm the regulatory law
12 judge presiding over this matter. I'm going to ask Attorneys
13 to enter their appearance for the record. I'm going to start
14 with those that are already parties and then I'm going to
15 take entries from those that have filed applications to
16 intervene. So starting with Ameren Missouri.

17 MR. LOWERY: Thank you, Judge. Jim Lowery
18 representing Union Electric Company d/b/a Ameren Missouri.
19 My contact information's on file in the docket.

20 JUDGE CLARK: Okay. Thank you, Mr. Lowery. I'm
21 going to turn my volume up a little. On behalf of the
22 Commission Staff?

23 MS. KLAUS: Good morning. Alexandra Klaus on
24 behalf of Staff, and my information is filed in the record.

25 JUDGE CLARK: Thank you, Staff. On behalf of the

1 Office of the Public Counsel?

2 MR. WILLIAMS: Nathan Williams, Chief Deputy,
3 Public Counsel. P.O. Box 2230, Jefferson City, Missouri,
4 65102. Appearing on behalf of the Office of Public Counsel
5 and the public.

6 JUDGE CLARK: Okay. Thank you, Public Counsel.
7 Now on behalf of those that have applied to intervene.
8 Missouri Industrial Energy Consumers? Okay, I hear no one.
9 Google?

10 MR. CARO: May it please the Commission. Frank
11 Caro with the Polsinelli Law Firm appearing on behalf of
12 Google. Our address is 900 West 48th Place, Suite 900,
13 Kansas City, Missouri, 64112. Thank you.

14 JUDGE CLARK: Thank you, Google. On behalf of
15 Renew Missouri?

16 MS. MERS: Nicole Mers on behalf of Renew Missouri.
17 Our office is 506 -- or 501 Fay Street -- excuse me -- Suite
18 206, Columbia, Missouri, 65201.

19 JUDGE CLARK: On behalf of Sierra Club?

20 MS. STILTNER: Good morning. Caitlin Stiltner on
21 behalf of Sierra Club with Great Rivers Environmental Law
22 Center, and my information's on file.

23 JUDGE CLARK: Thank you, Sierra Club. On behalf of
24 Amazon Data Services?

25 MS. BELL: Stephanie Bell here, Your Honor, from

1 the Law Firm of Ellinger Bell, and my information is on file.

2 JUDGE CLARK: Okay. Thank you, Amazon. On behalf
3 of Evergy Metro and West? I hear no one.

4 Is there anybody that I have not called that is
5 counsel for somebody who has applied to intervene or -- well,
6 I guess we're past the intervention -- or who is going file a
7 late filed intervention? I hear no one.

8 I'm going to remind everyone that I can rule on
9 substantive issues at a prehearing conference, such as this,
10 pursuant to Commission Rule 20 CSR 4240-2.090(6). But I will
11 also remind everyone that just because I can, it doesn't mean
12 I have to.

13 So with that caveat, Ameren Missouri requested
14 that the Commission set a procedural conference today to
15 discuss a procedural schedule contemplating a Commission
16 order by December 31st of 2025 and to discuss intervention.

17 I additionally would like to discuss Ameren's
18 requested protective order as well. That was filed for, I
19 believe, on May 19th. But since they have filed their
20 response requesting a procedural conference on the 27th, I
21 thought I would just add this to that agenda.

22 All right. With that in mind, I'm going to go
23 ahead and start asking Ameren Missouri: Why December 31,
24 2025? Why is that an important date?

25 MR. LOWERY: Judge, I think the reason it's an

1 important date is because we are in, you know, some fairly
2 advanced discussions with a number of customers who would
3 qualify for this tariff. They have electric service needs.
4 I mean, they have -- you know, they have a right to service
5 in Missouri just like any other customer does.

6 And from a project schedule that's still on
7 standpoint, in order for their projects and our building to
8 move forward to serve them to be handled in a timely manner,
9 we really need to get an order as soon as we can.

10 We recognize, you know, we didn't -- we didn't
11 ask for three or four months. Obviously, we recognize that
12 we need a sufficient amount of time to process the case. So
13 we felt like balancing, you know, the need to have a
14 sufficient time to process the case but also the needs of the
15 customers, that that was an appropriate time.

16 It's also -- we've had some offline discussions
17 with some of the parties. I think we are tumbling toward a
18 schedule and I think -- at least some of the parties think
19 it's workable to get a date by -- to get an order by then.

20 So I just think balancing those various
21 considerations, you know, that's about -- that's eight or
22 nine months from when the case was filed, that that was a
23 time that would allow the projects to stay on track but also
24 provide a reasonable time for processing the case.

25 JUDGE CLARK: Okay. And the way I read it, you're

1 asking for an approval by that point and not necessarily an
2 effective order to have tariffs effective by January 1st? Or
3 what -- what's the goal here?

4 MR. LOWERY: I think that's fair, Your Honor. I
5 think if we had -- if we knew where we were at that time and,
6 you know, if you had a 30-day approval date -- or effective
7 date, I don't think that would, you know, impede our progress
8 if that was a consideration for the Commission.

9 JUDGE CLARK: Okay. Then I just wanted to know if
10 there was some hard consideration that would necessitate
11 that. Thank you, Mr. Lowery.

12 I think at this time, before we get into the
13 schedule and the protective order, I'd kind of like to sus
14 out who is going to be participating.

15 So I'm just going to kind of go down the list of
16 intervention requests I've received. I'm going to go through
17 them in the order they were received by intervention request
18 and I'm going to ask if there are any objections and what the
19 reasons are for, and we'll see -- we'll see where we are at
20 the end of this.

21 First application to intervene is from Missouri
22 Industrial Energy consumers. They have met the minimal
23 requirements, at least I see, and they have put that they
24 would be adversely affected, that their interest as
25 representing a large industrial consumer are different from

1 the general public, and that they haven't taken a position.

2 Are there any objections to the intervention of
3 MIEC or Missouri Industrial Energy Consumers? I hear none.

4 Next is the application to intervene of Google
5 LLC. And they've indicated that they may qualify for the LLC
6 rate plan in the future -- and that is the large load
7 customer, is what the LLC stands for, for the record. And
8 that their interests are different from the general public
9 and that they have not taken a position on the details of the
10 LLC rate plan.

11 Are there any objections to the intervention of
12 Google LLC? I hear none.

13 On behalf of the application to intervene of
14 Renew Missouri Advocates, their interest in renewable energy
15 and energy efficiency efforts in Missouri, which is an
16 interest which is different from the general public, may be
17 adversely affected. And they have not taken a position on
18 this specific case yet.

19 Are there any objection to the intervention of
20 Renew Missouri? I hear none.

21 Sierra Club. Sierra Club has entered their
22 interests. Similar to Renew Missouri, are in renewable
23 energy projects that will displace fossil fuel generation,
24 and their interests could be affected by this. And they have
25 not determined the position that they have taken here -- take

1 in this matter yet.

2 Are there any objections to Sierra Club's
3 intervention? I hear none.

4 Amazon Data Services. Amazon Data Services
5 believes that if they -- they are looking at Missouri as a
6 potential place to potentially put down a footprint, that
7 would potentially qualify for the large load customer plan,
8 and therefore, they are, at this point, unsure what position
9 they will take.

10 Are there any objections to their intervention?
11 I hear none.

12 Evergy Metro and Evergy West. They have
13 indicated that they are pursuing a similar tariff in a
14 different case, EO-2025-0154. I was hoping that they were
15 going to be here so that I could ask them some questions, but
16 they are not.

17 So I do not -- I have not looked at that case.
18 I do not know where that case is in its process and I do not
19 know if they have -- I don't know if they have a working
20 procedural schedule or anything else at that point.

21 So I can't ask any questions about that, but
22 they say they are pursuing a similar thing and that makes
23 interests different from the general public. And I don't
24 believe they've taken a position on this yet.

25 Are there any objections to the intervention of

1 Every Metro or West?

2 MR. LOWERY: Judge, this is Jim Lowery. I don't
3 have an objection to their intervention, but we were unaware
4 they were going to seek intervention until yesterday, I was.
5 And I really had no time at all to really consult with the
6 people I need to at the company about whether we have a
7 position on that or not. I'm not saying that we object. I
8 just don't know because it just happened.

9 So I -- I would ask -- well, I thought they were
10 going to be here as well. Had they been here, I would have
11 said when we go off the record to discuss the schedule they
12 would be welcome to participate in those discussions.

13 But regardless, I would ask that you give us a
14 week to figure out what our position is or isn't, and that
15 way we can make a filing. I don't think it will impede us
16 working on a procedural schedule in the meantime, but I would
17 like a chance to consult with my client.

18 JUDGE CLARK: I don't necessarily disagree with
19 you. I'm not going to go a week. I'm not going to order
20 anything in particular. I think you can take the full 10
21 days from the -- from the intervention deadline to -- to do
22 that since they're not here.

23 I am going to ask, however: Is -- has -- or has
24 Ameren Missouri applied to be an intervener in EO-2025-0154?

25 MR. LOWERY: We have not, Your Honor.

1 JUDGE CLARK: Is that something you anticipate
2 doing?

3 MR. LOWERY: No, I don't think we intend to do
4 that. And they -- just for your information, they certainly
5 do have a procedural schedule in place. Hearings have been
6 set for this fall in this case. Just for your information.

7 JUDGE CLARK: Okay. So they -- you -- is it your
8 brief that they are running on a similar timeline to
9 yourself?

10 MR. LOWERY: They -- they're -- they filed sooner,
11 but they also sort of didn't put a schedule in place early in
12 the case. They waited, I think -- and when I say "they," I
13 mean the parties collectively -- didn't really put a schedule
14 in place for about three or four months after the case was
15 filed.

16 So their case is a couple of months ahead of
17 ours. It will take maybe a little longer than ours will,
18 based on our contemplated schedule. But like I said, they
19 sort of didn't put a procedural schedule in place promptly
20 after the case was filed.

21 JUDGE CLARK: And is --

22 MS. KLAUS: There is --

23 JUDGE CLARK: Oh, go ahead.

24 MS. KLAUS: There is an existing procedural
25 schedule in place. In terms of dates that Staff is very

1 mindful of, in that Staff's recommendation in that case is to
2 be filed July 25th. And the evidentiary hearing dates for
3 that case are set for September 29th to October 3rd.

4 JUDGE CLARK: Okay. Thank you for apprising me of
5 that and I will keep that in mind.

6 With that in mind, I'm going to say, in these
7 kind of cases where there is an expected date by which they
8 are requesting, I do like to set a procedural schedule early
9 on so that everybody knows the umbrella that they are
10 operating under.

11 At the same time, I'm also mindful that when you
12 establish a procedural schedule, there's a high likelihood
13 that it will change along its course. But with that in mind,
14 I do have the adjudication calendar, and for me both the
15 electronic version and paper version. I don't know what the
16 parties have contemplated at this point.

17 What I'm going to say right now is that I am
18 going to grant the interventions of Missouri Industrial
19 Energy Consumers of Google LLC, of Renew Missouri Advocates,
20 of Sierra Club, and of Amazon Data Service. And I'm going to
21 give Amazon 10 days to respond to Evergy Metro and West's
22 intervention request from the time -- from the date of
23 intervention, which was yesterday.

24 Okay, I see a hand up. Whose hand do I see?
25 Mr. Williams?

1 MR. WILLIAMS: Yes. Judge, I took a look at
2 Everygy's application to intervene. And my interpretation of
3 it is they're raising concern of intrastate competition for
4 soliciting business from large load customers, such as data
5 centers, and I think that is a legitimate concern.

6 The Commission might want to contemplate some
7 kind of joint proceeding between the cases that are going on
8 with regard to the customers like these for those reasons --
9 that reason. I just wanted to flag that now.

10 JUDGE CLARK: I will -- thank you for bringing that
11 to my attention. I will certainly discuss that to the
12 Commission -- with the Commission and the commissioners.

13 You are more than welcome to also file a
14 response to Everygy Metro's application to intervene. So if
15 you want to file a response to that stating your concerns and
16 preferences, you are more than welcome to do so. But I will
17 keep that in mind. Thank you very much.

18 And given the similarities in these, it would
19 ideally be nice to come up with some parallels and
20 consistencies. That being -- that being said, there probably
21 are going to be differences because these are different
22 utilities that operate slightly differently and within
23 different regional transmission footprints.

24 (Inaudible.)

25 JUDGE CLARK: I'm sorry? Okay. With that in mind,

1 now that we have our parties established -- and I'll try and
2 follow up with a notice order basically codifying that in
3 EFIS for everyone.

4 Mr. Lowery, you had indicated you had already
5 discussed with parties a potential procedural schedule.
6 Let's discuss that. What parties did you discuss with and
7 what -- where are you at this time?

8 I'm going to tell you right off, this early in
9 the stage, given that you're looking at a December 31st
10 deadline, I would like to keep at this time December
11 presacrosanct because I cannot know how much is going to be
12 involved in terms of writing this.

13 In other words, how many ultimate issues are
14 going to necessitate a potentially longer more detailed
15 order, how many memorandums are going to have to go before
16 the Commission, and how many agendas the Commission is going
17 to need to determine this case depending on the number of
18 issues. For at least for the time being, I would like to
19 keep things out of December, if possible.

20 MR. LOWERY: Judge, we've had e-mail communications
21 with all of the parties that you've now granted intervention.
22 We were -- I'm sure we intended, you know, once we adjourn
23 here, to have more detailed discussions.

24 We were coalescing, I think, around hearing
25 sometime from early November to late November and having the

1 briefing down in early December. But we hadn't come to
2 specifics and we haven't had, you know, actual conversation
3 where we can talk about the nuances around that.

4 That's sort of what we've been discussing at
5 that point, trying to make sure the other parties have
6 sufficient time to, you know, do discovery, et cetera, and
7 file rebuttal. It's a time for us to meet other typical
8 milestones.

9 JUDGE CLARK: Okay. I'm not necessarily opposed to
10 that. I would prefer, obviously, to set the hearing earlier
11 in November rather than later. And that's largely because it
12 looks like from the 9th to the 12th there is a conference in
13 Seattle. I don't know who's attending that.

14 MR. LOWERY: Yes.

15 JUDGE CLARK: There's a whole day in there on the
16 11th. And then I have noticed in the past that there's not a
17 lot of business transacted around the last two weeks of
18 November for the Thanksgiving holiday.

19 So it would be my preference -- I don't know if
20 you're contemplating a full two-week hearing, but it would be
21 my preference to keep that -- assuming it's going to be a
22 one-week hearing, I'd like to keep it that first week of
23 November.

24 MR. LOWERY: That's certainly one of the weeks
25 under -- under discussion, so to speak, in quotes, Judge, by

1 e-mail.

2 JUDGE CLARK: So that would put it -- assuming a
3 five-day hearing, that would put it from the 3rd to the 7th.
4 It's going to be longer than that.

5 And I guess, how do you want me to do this? Do
6 you want me to participate in this process or do you want me,
7 now that I've got everybody assembled, to just kind of
8 adjourn and let you -- you all put together a procedural
9 schedule?

10 MR. LOWERY: Judge, that's typically --

11 JUDGE CLARK: How do you want to do it? I don't
12 know --

13 MR. LOWERY: -- from my experience, what we've
14 done. And I think that's probably a better way to go about
15 it. And if you want to give us a deadline by which you'd
16 like to see a proposal, that would make sense to me as well.
17 That's typically what we've done and I think it works pretty
18 well.

19 MR. WILLIAMS: The only thing that would be
20 helpful, and you've done it I think to an extent, at least,
21 is if there are any dates that are just untenable for the
22 Commission.

23 JUDGE CLARK: Oh, absolutely. And like I said, I
24 would be happy --

25 MR. LOWERY: We did, Judge -- at least I did; I

1 think others did as well. We did look at the calendar I
2 think you're looking at when we were having these discussions
3 and mindful of when the Everygy procedural schedule is and the
4 other things going on with Commission. So we're trying to
5 work with that.

6 JUDGE CLARK: And I see all that --

7 MR. WILLIAMS: I have Liberty (inaudible) so that's
8 a concern on my part.

9 JUDGE CLARK: Now, I see the Everygy hearing as set
10 for the first week -- first and second week of October. Oh,
11 wait, hold on just a second.

12 MR. WILLIAMS: I believe it's the 6th through the
13 17th of October. But then, of course, there's briefs --

14 JUDGE CLARK: That's -- I see that as a different
15 hearing. I see the Everygy 0154 hearing October 1st through
16 6th. Does it -- hold on. I'm assuming --

17 MR. PRINGLE: It's September 29th to October 3rd,
18 Judge.

19 JUDGE CLARK: September 29th to October 3rd. Thank
20 you. All right. It looks like the rest of October is pretty
21 full. So it looks like the first time there's really any
22 larger blocks of availability is November so -- at least
23 right now.

24 If there are going to be dates where you're
25 going to need either my attention or the Commission's

1 attention for a procedural conference or something in person,
2 then you might want to check those dates against that
3 calendar. But if it's -- if they're dates that don't really
4 concern me or the Commission and they're just your dates, you
5 know, obviously, put them where you want.

6 So are there any objections to me adjourning
7 this hearing and allowing the parties to work on a procedural
8 schedule with that in mind? And why don't I -- hold on just
9 a second. Is a week -- is a week too short to submit a
10 procedural schedule? And it looks like there's a holiday of
11 Juneteenth that false on the 19th.

12 MR. LOWERY: Not from the company's perspective,
13 Judge. I think a week would work. I guess if we needed more
14 time we could ask you, but I -- it seems like a week should
15 be long enough. We've already started some discussions, as
16 I've said.

17 JUDGE CLARK: I'll tell you what, why don't I go
18 with the 23rd, and that way nobody has to work over the
19 holiday unnecessarily.

20 MR. LOWERY: Okay.

21 JUDGE CLARK: So a procedural schedule, a proposed
22 procedural schedule by the 23rd. And again, I'll codify that
23 in a notice explaining what was ordered in this conference.
24 But I will direct that that -- that that proposed procedural
25 schedule is due by the 23rd.

1 With that, we're going to kind of skip -- is
2 there -- we're going to kind of skip to the end. The
3 protective order, has Staff and OPC and the other parties
4 had -- have any of them had a chance to look at the
5 protective order, which seemed to be fairly standard?

6 MS. KLAUS: Briefly looked at the protected order.
7 No objection from Staff on it. I think it may be more
8 impactful for other parties and would be curious to hear
9 their thoughts on it.

10 JUDGE CLARK: Okay.

11 MR. LOWERY: It is -- it is -- it certainly is
12 standard. I think it's an order that -- it's a motion that's
13 almost word for word and an order that's been entered in just
14 about every case we've had including the IRP order.

15 The information in that order that was issued in
16 that case where we have, you know, this kind of sensitive
17 cost information about generation and so on. So it is very
18 standard. There's nothing unusual about it.

19 JUDGE CLARK: Okay. Here's what I'm going to do
20 since we had some parties in our meeting yesterday that
21 haven't had the chance to weigh in. Okay.

22 In regards to that, it looks like because the 10
23 days to -- for Ameren to respond to Evergy's intervention
24 request would be June 22nd, which is a Sunday, that
25 reasonably makes it the 23rd. I'm going to give Evergy until

1 the 27th to reply to the objections or responses from Ameren.

2 A proposed procedural schedule would be due the
3 23rd. And I am going to give parties -- existing parties
4 until the 17th, which is next Tuesday, to file any objections
5 to the protective order, with the mind that if there are no
6 objections, it would be my intent to issue it no later than
7 the 20th.

8 Is there anything else that -- that the
9 Commission needs to address at this time? Ameren Missouri?

10 MR. LOWERY: No, Your Honor, not that I know of.

11 JUDGE CLARK: Staff?

12 MS. KLAUS: No, Judge. Thank you for your time
13 today.

14 JUDGE CLARK: Thank you. OPC?

15 MR. WILLIAMS: No. Do you intend to leave this
16 line open with you -- or Webex open when you drop off so that
17 the parties can discuss or do you want us to get together in
18 some other fashion?

19 JUDGE CLARK: No, I'm going to leave it open. I'm
20 going to get off so that I can't hear or see anything. Let's
21 go off the record for a moment so I don't muddy it up.

22 Okay. So I believe I left off with the Office
23 of the Public Counsel; is that correct?

24 MR. WILLIAMS: Yes, and I don't have anything else.
25 Thank you.

1 JUDGE CLARK: Thank you, Mr. Williams. On behalf
2 of Google?

3 MR. CARO: Nothing on behalf of Google, Judge.
4 Thank you for your time and have a great weekend.

5 JUDGE CLARK: Thank you, Mr. Caro. On behalf of
6 Renew?

7 MS. MERS: No, thank you, Your Honor.

8 JUDGE CLARK: On behalf of Data -- Amazon Data
9 Services?

10 MS. BELL: Nothing from Amazon. Thank you, Your
11 Honor.

12 JUDGE CLARK: And Sierra Club?

13 MS. STILTNER: Nothing on behalf of Sierra Club.
14 Thank you.

15 MS. PLESCIA: And, Your Honor, this is Diana
16 Plescia for MIEC and we don't have any (inaudible) either.

17 JUDGE CLARK: Okay. Well, thank you. That will
18 count as your appearance for the record. And I don't know
19 how long you've been here, but the other parties can catch
20 you up to speed. And your intervention request was not
21 objected to and has been granted.

22 MS. PLESCIA: Yes, I dialed shortly in about three
23 minutes after the call. I had a little trouble getting in.
24 So thank you. I did hear all of that.

25 JUDGE CLARK: Fantastic. Okay. All right.

1 Hearing no further matters that I need to address, I am going
2 to adjourn this hearing. We'll go off the record at this
3 point.

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CERTIFICATE OF REPORTER

I, Sarah M. Elvington, RPR, do hereby certify that the foregoing audio transcription was produced to the best of my ability and may include inaudible sections.

I further certify that I am neither counsel for, related to, nor employed by any parties to the action, and further, that I am not a relative or employee of any counsel or attorney employed by the parties thereto, nor financially or otherwise interested in the outcome of this action.

Sarah M. Elvington

Court Reporter

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