

MEMORANDUM

TO: Missouri Public Service Commission
Official Case File, File No. EA-2025-0344
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 Switchyard in Callaway County, Missouri

FROM: Claire M. Eubanks, P.E., Engineering Analysis, Industry Analysis Division

/s/ Claire M. Eubanks, P.E. / 07-15-2025
Engineering Analysis / Date

SUBJECT: Staff Recommendation to Grant Application and Issue Certificate of Convenience
and Necessity and File Compliance Tariff Sheets

DATE: July 15, 2025

SUMMARY

On June 26, 2025, Union Electric Company, d/b/a Ameren Missouri (“Ameren Missouri”)¹ filed an Application for a Certificate of Convenience and Necessity (“CCN”) authorizing it to provide retail service to New Madrid Solar, LLC (“New Madrid Solar”) as needed under Midcontinent Independent System Operator’s (“MISO”) Schedule 20. The authority requested is pursuant to Section 393.170, of the Revised Statutes of Missouri (RSMo) and Missouri Public Service Commission (“Commission”) rules 20 CSR 4240-2.060 and 20 CSR 4240-20.045. Additionally, Ameren Missouri requested a waiver of the 60-day notice requirement contained in 20 CSR-4240-4.017.

The Staff of the Missouri Public Service Commission (“Staff”) submits this Memorandum recommending the Commission grant the requested CCN with one condition. Staff recommends the Commission condition the granting of this CCN on Ameren Missouri notifying the Commission in this case if distribution facilities are constructed by Ameren Missouri to serve New Madrid Solar in the future.

¹ Ameren Missouri is a corporation organized under the laws of Missouri with its principal office at 1901 Chouteau Avenue, St. Louis, Missouri 63103. Ameren Missouri is duly authorized to do business in Missouri. In File No. EA-2025-0344, Ameren Missouri previously submitted to the Commission a certified copy of its Articles of Incorporation (File No. EA-87-105) and a Certificate of Good Standing from the Missouri Secretary of State (File No. EF-2023-0151).

Further, Staff recommends a change to the proposed tariff sheets that are contemplated to be effective on August 1, 2025. The proposed tariff sheets associated with tracking number JE-2025-0173 are:

MO PSC Schedule No. 6

1st Revised Sheet No. 34 canceling Original Sheet No. 34

Original Sheet 34.1

Staff recommends Ameren Missouri indicate, on Sheet No. 34, the location² that Pemiscot-Dunklin may provide emergency service to the customer.

OVERVIEW

Ameren Missouri seeks to modify its service territory to accommodate providing retail service to New Madrid Solar as needed under MISO Schedule 20 – Treatment of Station Power. The 200 MW solar facility³ will be owned and operated by New Madrid Solar. The New Madrid solar project will interconnect to a substation owned by Entergy Arkansas, LLC (“Entergy Arkansas”) and be served by the Entergy transmission system. New Madrid Solar’s 200 MW solar facility, its interconnection facilities, nor any modifications or additions to Entergy’s transmission system, are not the subject of this Staff recommendation.

In EA-2012-0321, Entergy Arkansas, Inc. was granted a Certificate of Convenience and Necessity for its existing facilities in the counties of Dunklin, Pemiscot, and New Madrid and a new substation in Pemiscot county.⁴ At the time of the CCN application in EA-2012-0321, Entergy Arkansas’ existing facilities in these counties included six (6) transmission lines and three (3) substations.⁵ Additionally, the CCN granted in EA-2012-0321 included a new substation in Pemiscot County, northeast of Steele, Missouri.⁶ In EO-2018-0169, a case regarding the internal restructuring of Entergy Arkansas, the Commission found Entergy Arkansas, Inc. to be a public utility under the jurisdiction of the Commission.⁷ In that case, the Commission canceled the CCN granted to Entergy Arkansas, Inc. and granted a new CCN for the same assets to Entergy Arkansas, LLC.

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**⁸ Staff reviewed the Amended and

² Using the Public Land Survey System.

³ Entergy Arkansas – New Madrid Solar 2nd Revised Generator Interconnection Agreement.

⁴ Described in paragraphs 9, 10, and 11 of the application in EA-2012-0321. CCN canceled and new CCN granted to Entergy Arkansas, LLC in case EO-2018-0169.

⁵ The facilities are more specifically identified in Attachment 1 of the Staff Memorandum filed in EA-2012-0312.

⁶ EA-2012-0321, Application, Appendix 5.

⁷ EO-2018-0169, Order Granting Application, page 2.

⁸ Response to Staff Data Request No. 0002.

Restated Generator Interconnection Agreement between MISO, New Madrid Solar, and Entergy Arkansas as a part of its review for this CCN.⁹ This agreement indicates that Entergy Arkansas is responsible for installing certain Stand-Alone Network Upgrades, including a new 161 kV point of interconnection substation. To date, Entergy Arkansas has not requested a CCN related to the interconnection of New Madrid Solar.

Staff reviewed Ameren Missouri's Application and concludes it generally meets the filing requirements of 20 CSR 4240-2.060 and 20 CSR 4240-20.045(4). Staff notes that Ameren Missouri did not provide a feasibility study as required by 20 CSR 4240-20.045(4)(E). Ameren Missouri states the feasibility study is not applicable as it will not construct any facilities. However, the required feasibility study includes several items including the "proposed rates and charges, and an estimate of the number of customers, revenues, and expenses during the first three (3) years of operations." Staff requested information regarding the proposed rates and charges in its data requests.

DISCUSSION

Staff reviews CCN Applications based on the five factors the Commission listed in *In Re Tartan Energy*, GA-94-127, 3 Mo.P.S.C.3d 173, 177 (1994) ("Tartan Criteria"):

- Need,
- qualifications to provide the service,
- financial ability,
- economic feasibility, and
- promotion of the public interest.

This case is unique as Ameren Missouri is not constructing or owning facilities to support the provision of service to New Madrid Solar and retail service will be provided from time to time.

Whether there is a need for the facilities and service

New Madrid Solar¹⁰ represents that MISO requires identification of a retail provider in the event Schedule 20 transactions are identified as a retail transaction. Ameren Missouri represents that it will be administratively efficient for Ameren Missouri to be identified as the retail provider.¹¹ Ameren Missouri's existing service territory encompasses the majority of the New Madrid solar site. The new service area includes six parcels, all within Section 16, Township 22 North, Range 13 East of New Madrid County, Missouri and further described in Exhibit C of the Application.

⁹ [Entergy Arkansas-New Madrid Solar 2nd Rev GIA J944 SA 3392 ER24-1745-000638971.pdf](#)

¹⁰ Application, Exhibit B.

¹¹ Application, paragraph 11.

In its cover letter regarding the tariff filing, JE-2025-0173, Ameren Missouri states:

Ameren Missouri and the developer discussed serving the project with Associated Electric Cooperative and Pemiscot-Dunklin Cooperative and both cooperatives declined to enter into a partial territorial agreement. However, Ameren Missouri does not expect the cooperatives to oppose this filing to include the portion of Section 16 occupied by the solar facility.

New Madrid Solar requires interconnection with the transmission system for its solar project. Given that New Madrid Solar represents that MISO requires identification of a retail provider, Ameren Missouri is willing to be that provider, and according to Ameren Missouri the electric cooperatives in the area were not willing to enter into a territorial agreement, Staff does not dispute there is a need for Ameren Missouri to be identified as the retail provider for New Madrid Solar.

Staff questioned Ameren Missouri regarding the construction of distribution voltage facilities to serve the proposed customer. Additionally, Staff spoke with Ameren Missouri and representatives for New Madrid Solar for additional clarification on July 11, 2025. Ameren Missouri represents its distribution facilities are greater than a mile from the site.¹² To the extent required, for emergency back-up, Ameren Missouri suggests that it would not object to Pemiscot-Dunklin providing such service. **

** Staff is concerned with Ameren Missouri being identified as a retail provider for Schedule 20 purposes and the potential for other retail providers on the same site. However, Staff understands such arrangement is practical for the utilities and customer. Staff recommends Ameren Missouri clarify the location Pemiscot-Dunklin may provide emergency service to the customer in its pending tariff. Additionally, Staff recommends the Commission condition the granting of this CCN on Ameren Missouri notifying the Commission if distribution facilities are built by Ameren Missouri to serve New Madrid Solar in the future.

Whether Ameren Missouri is qualified to provide the service

Ameren Missouri participates in MISO and has existing Missouri rate schedules that may be applied to New Madrid Solar in the event certain transactions are determined to be retail transactions. Staff does not dispute that Ameren Missouri is qualified to provide the service being requested by New Madrid Solar.

¹² Staff Data Request No. 0007.

Whether Ameren Missouri has the financial ability to provide the service

This factor is not applicable in this case as Ameren Missouri is not constructing facilities nor will Ameren Missouri have ownership of or responsibility for operations and maintenance for the interconnection facilities.¹³

Whether it is economically feasible to provide the service

Ameren Missouri is not constructing facilities nor will Ameren Missouri have ownership of or responsibility for operations and maintenance for the interconnection facilities.

Ameren Missouri states in response to Staff Data Request No. 0005:

The customer's station power needs are normally expected to be self-served through the MISO Schedule 20 tariff. In such circumstances, there is not a retail transaction. During any month when MISO determines that the terms of Schedule 20 has not been met (for the month), they will notify Ameren Missouri that the provision of retail service has occurred at which point the customer will be billed under one of Ameren Missouri standard rates pertaining to high voltage service. It is the customer's obligation to select between 1) Service Classification No. 4(M) Small Primary Service Rate or 2) Service Classification No. 11(M) Large Primary Service Rate. In either case, Rider B Discounts Applicable For Service To Substations Owned By Customer In Lieu Of Company Ownership item 2. and Rider C Adjustments Of Meter Readings For Metering At A Voltage Not Provided For In Rate Schedule item 4. will apply as well as all normal riders (FAC, EEIC, RESRAM, securitization) and taxes.

If any retail transactions occur, New Madrid Solar will be billed under one of Ameren Missouri's high voltage service rates and Ameren Missouri will receive revenues with no material costs. Staff concludes the provision of service to New Madrid Solar is economically feasible.

Whether the service promotes the public interest

In that the public interest assessment generally involves a reconsideration of the other Tartan Criteria of need for the project, its economic feasibility, Ameren Missouri's qualifications and financial ability provide the service, Staff's assessment concludes that Ameren Missouri serving New Madrid Solar from time to time is not detrimental to the public interest.

Staff recommends the Commission condition the granting of this CCN on Ameren Missouri notifying the Commission if distribution facilities are constructed to serve New Madrid Solar.

¹³ Staff Data Request No. 0001.

RECOMMENDATION

Staff has reviewed the filing, information obtained through discovery conducted as part of this matter, and discussions with Ameren Missouri and representatives of New Madrid Solar. In this Application, Ameren Missouri is requesting and, Staff supports, the issuance by the Commission of a CCN authorizing it to provide retail service to New Madrid Solar as needed under MISO Schedule 20.

Staff recommends the Commission condition the granting of this CCN on Ameren Missouri notifying the Commission in this case if distribution facilities are constructed by Ameren Missouri to serve New Madrid Solar in the future.

Further, Staff recommends a change to the proposed tariff sheets that are contemplated to be effective on August 1, 2025. The proposed tariff sheets associated with tracking number JE-2025-0173 are:

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¹⁴ Using the Public Land Survey System.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Union Electric)
Company d/b/a Ameren Missouri for Permission) File No. EA-2025-0344
and Approval and a Certificate of Public)
Convenience and Necessity)

AFFIDAVIT OF CLAIRE M. EUBANKS, PE

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

COMES NOW CLAIRE M. EUBANKS, PE, and on hers oath declares that she is of sound mind and lawful age; that she contributed to the foregoing *Staff Recommendation, in Memorandum form*; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.

Claire M Eubanks
CLAIRE M. EUBANKS, PE

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 14th day of July 2025.

DIANNA L. VAUGHT Notary Public - Notary Seal State of Missouri Commissioned for Cole County My Commission Expires: July 18, 2027 Commission Number: 15207377

Dianna L. Vaught
Notary Public