

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

In the Matter of the Request of The Empire)
District Electric Company d/b/a Liberty for)
Authority to File Tariffs Increasing Rates) File No. ER-2024-0261
for Electric Service Provided to Customers)
In its Missouri Service Area.)

**AMEREN MISSOURI'S APPLICATION FOR LIMITED
INTERVENTION OUT-OF TIME**

COMES NOW Union Electric Company d/b/a Ameren Missouri, and for its Application for Limited Intervention Out-of-Time in this case, filed pursuant to 20 CSR 4240-2.075(3)(B), (9), and (10), states as follows:

1. Ameren Missouri is a Missouri corporation, in good standing in all respects, with its principal office and place of business located at 1901 Chouteau Avenue, St. Louis, Missouri 63103. The Company is engaged in providing electric and gas utility services in portions of Missouri as a public utility under the jurisdiction of the Missouri Public Service Commission ("Commission").

2. On March 5, 2025, the Commission issued its *Corrected Order Giving Notice and Setting a Deadline to Intervene* ("Order") in this docket, which included a deadline of March 25, 2025, for interventions.

3. On April 10, 2025, the Commission issued its *Order Setting Updated Procedural Schedule and Assignment of Exhibit Numbers* ("Procedural Schedule"), which included a filing deadline of July 21, 2025, for filing of parties' Direct Testimony – Rate Design ("Rate Design Direct").

4. On July 21, 2025, parties to the docket, including the Staff ("Staff") of the Commission, filed their Rate Design Direct pursuant to the Procedural Schedule.

5. As part of Staff's Rate Design Direct, Staff witnesses Luebbert, Lange, and Mastrogiannis included detailed discussions and positions on Large Load Tariffs.¹ The Commission is also addressing Large Load Tariffs in Ameren Missouri's ongoing Large Load Tariff docket,² as well as another ongoing docket filed by Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (collectively "Evergy").³ Both Evergy and Ameren Missouri are parties in each other's Large Load Tariff dockets. Given Staff's insertion of the Large Load Tariff issue into this docket, especially in view of questions relating to Section 393.170.7, RSMo (effective August 28, 2025) raised by Staff's filings, the Commission's decision in this case could as a practical matter impact Ameren Missouri in a manner different from the impact on the general public given that Ameren Missouri is an electrical corporation subject to Section 393.170.7. See 20 CSR 4240-2.075(3)(A), which indicates that intervention is proper if the final order in a case may adversely impact a proposed intervenor with an interest that is different from that of the general public.

6. Moreover, given that the Commission concluded that the public interest would be served by making Evergy a party to Ameren Missouri's Large Load Tariff case, and by making Ameren Missouri a part to Evergy's case, the public interest would be served by making Ameren Missouri a party to this case for the limited purpose of addressing Large Load Tariff issues. See 20 CSR 4240-2.075(3)(B), which indicates that intervention is proper if the intervention would serve the public interest.

¹ For the purposes of this docket, defined as customers whose expected peak demand would be 50 megawatts ("MW") or more for electrical corporations with 250,000 customers or less and 100 MW or more for electrical corporations with more than 250,000 customers.

² In the Matter of the Application of Union Electric Company d/b/a Ameren Missouri for Approval of New Modified Tariffs for Service to Large Load Customers, No. ET-2025-0184.

³ In the Matter of the Application of Evergy Metro, Inc. d/b/a Every Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West for Approval of New and Modified Tariffs for Service to Large Load Customers, No. EO-2025-0154.

7. Under 20 CSR 4240.2.075(10), the Commission may allow intervention after the intervention date previously established by the Commission upon a showing of good cause. Good cause exists for several reasons. First, there was no indication prior to the intervention deadline in this case that Large Load Tariff issues would arise in this case and thus no reason for Ameren Missouri to seek to intervene on a limited basis or otherwise. No part of Empire's direct case raised Large Load Tariffs or service to customers who would be served under such a tariff. Second, prior to the Commission's recent rulings in Ameren Missouri's and Evergy's Large Load Tariff cases (which only occurred recently, and well after the intervention deadline in this case), the most recent pronouncements by the Commission on the propriety of one utility intervening in another utility's case indicated that the Commission would not allow intervention in any event. Third, Ameren Missouri has filed its intervention application within only approximately one week after learning that Large Load Tariff issue was raised by Staff in this case. Those facts establish that good cause exists to approve Ameren Missouri's intervention request post-the previously established intervention date.⁴

8. The Company seeks to intervene on a limited basis only as contemplated by 20 CSR 4240-2.075(9). Specifically, Ameren Missouri requests intervention to address the Large Load Tariff issue only. Ameren Missouri contacted Empire and the Staff regarding this application and both parties indicated no objection.

⁴ As the Commission has recognized, "Good cause 'generally means a substantial reason amounting in law to a legal excuse for failing to perform an act required by law.' Similarly, 'good cause' has been judicially defined as a 'substantial reason or cause which would cause or justify the ordinary person to neglect one of his [legal] duties.'" Of course, not just *any* cause or excuse will do. To constitute good cause, the reason or legal excuse given 'must be real not imaginary, substantial not trifling, and reasonable not whimsical.'" *In Re: Atmos Energy, Order Granting Late Intervention*, File No. GR-2010-0192 (Apr. 28, 2010) (internal citations omitted). The circumstances outlined above easily satisfy these good cause standards.

9. As required by 20 CSR 4240.2.075(10), Ameren Missouri states that as of the date of this Application, Ameren Missouri accepts the record established in this case to-date and the requirements of prior orders issued by the Commission in this docket.

WHEREFORE, Ameren Missouri respectfully requests that the Commission, for good cause shown, grant its Application for Limited Intervention Intervene Out-of-Time in this proceeding and that it be made a party hereto with respect to the Large Load Tariff issue.

Respectfully submitted,

/s/ **James B. Lowery**

James B. Lowery, Mo. Bar #40503

JBL LAW, LLC

9020 S. Barry Rd.

Columbia, MO 65201

Telephone: 573-476-0050

E-Mail: lowery@jblawllc.com

/s/ **Wendy K. Tatro**

Wendy K. Tatro, Mo. Bar #60261

Director and Assistant General Counsel

Ameren Missouri

1901 Chouteau Avenue

St. Louis, MO 63103

Telephone: (314) 861-1705

Facsimile: (314) 554-4014

E-Mail: AmerenMOService@ameren.com

**ATTORNEYS FOR UNION ELECTRIC
COMPANY d/b/a AMEREN MISSOURI**

CERTIFICATE OF SERVICE

The undersigned by his signature below certifies that the foregoing pleading was served upon all persons who have entered an appearance of record in this matter on this 31st day of July, 2025 by electronic filing in EFIS.

/s/ James B. Lowery