BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Ameren Missouri's Submission)	
of its 2015-2017 RES Compliance Plan and its)	File No. EO-2015-0267
2014 Compliance Report)	

PUBLIC COUNSEL'S COMMENTS AND REQUEST FOR ORDER

COMES NOW the Office of the Public Counsel ("Public Counsel") pursuant to Commission Rule 4 CSR 240-20.100(7)(E) and submits these comments in response to Union Electric Company d/b/a Ameren Missouri's ("Ameren Missouri") 2015-2017 RES Compliance Plan and its 2014 Compliance Report. Additionally, Public Counsel requests that the Commission order Ameren Missouri to cure the deficiencies described herein and re-file its compliance plan, as follows:

- 1. Ameren Missouri's 2015-2017 RES Compliance Plan fails to comply with Commission Rule 4 CSR 240-20.100(7)(B)1.E because it does not include "a detailed analysis providing information necessary to verify that the RES compliance plan is the least cost, prudent methodology to achieve compliance with the RES." (4 CSR 240-20.100(7)(B)1.E).
- 2. The company's filing includes plans to construct a second utility-scale solar project (Doc. No. 1, p. 9). In particular, the section titled "RES Compliance Plan Cost Section (7)(B) 1 E" of the company's plan includes the utility-scale solar project as a RES compliance cost for 2015 (Doc. No. 1, p. 14). The plan details these costs in Table 3 titled **

3. Notably, and of concern to Public Counsel, the company's plan indicates that Ameren Missouri has sufficient RECs to meet the requirements for each of the years in which it intends to spend an additional **

** for RES compliance (Doc. No. 1, p.

- 19). In fact, Ameren Missouri's response to a Staff data request states that the project is "...not specifically necessary to comply [with RES] during this planning period[.]" (See Ameren Missouri's response to Data Request No. MPSC 0011). Considering the company's existing ability to comply with the RES, Ameren Missouri's plan to construct a new solar facility requires further explanation. As filed, the compliance plan fails to include any analysis or information to verify that the utility-scale solar project is necessary, least cost, or prudent.
- 4. The absence of the information and analysis required by Commission Rule 4 CSR 240-20.100(7)(B)1.E does not necessarily mean that the project is not the least cost, prudent way to achieve compliance with the RES. However, without the required information neither the Commission nor the other parties can make an informed evaluation of the plan and it is not the burden of the other parties under the rules to seek out this information it is the utility's burden to provide it. The company should not be permitted to shift burdens in this way and violation of the minimum filing requirements should have some consequence. The company's plan fails to meet the filing requirements, and so, Public Counsel requests that the Commission order Ameren Missouri to cure the deficiencies and re-file its compliance plan.

WHEREFORE, the Office of the Public Counsel submits these comments and requests that the Commission order Ameren Missouri to cure the deficiencies and re-file its 2015-2017 RES Compliance Plan.

Respectfully,

OFFICE OF THE PUBLIC COUNSEL

By: /s/Tim Opitz
Tim Opitz
Assistant Counsel
Missouri Bar No. 65082
P. O. Box 2230
Jefferson City MO 65102
(573) 751-5324
(573) 751-5562 FAX
Timothy.opitz@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 29^{th} day of May 2015:

/s/ Tim Opitz	