

**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    | ) | <b><u>Case No. ET-2025-0184</u></b> |
| for Approval of New Modified Tariffs for  | ) |                                     |
| Service to Large Load Customers           | ) |                                     |

**MOTION TO STRIKE AND FOR LEAVE TO REPLACE THE REBUTTAL TESTIMONY  
OF JAMES A. BUSCH, AND MOTION FOR EXPEDITED TREATMENT**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and for its *Motion to Strike and for Leave to Replace the Rebuttal Testimony of James A. Busch, and Motion for Expedited Treatment* respectfully states as follows:

1. On September 5, 2025, Staff witness James A. Busch filed rebuttal testimony sponsoring the Staff Recommendation/Rebuttal (“Staff Recommendation”) in this matter.

2. Subsequently, on October 2, 2025, Mr. Busch tendered his resignation from Staff, effective immediately.

3. As a result of Mr. Busch’s resignation and in lieu of having another member of Staff adopt his testimony in its entirety, Staff respectfully requests an order from the Commission striking Mr. Busch’s rebuttal testimony.

4. In addition to striking Mr. Busch’s rebuttal testimony, Staff is also requesting leave to replace his rebuttal testimony sponsoring the Staff Recommendation with the attached supplemental rebuttal testimony of Staff witness J Luebbert.

5. Mr. Luebbert’s supplemental rebuttal testimony is substantively similar to that of Mr. Busch’s. The purpose of Mr. Luebbert’s supplemental rebuttal testimony is to

sponsor the overall Staff Recommendation that was filed on September 5, 2025. Mr. Luebbert also provides a very brief overview on settlement agreements in Ohio and Indiana relating to large load customers and some information on northern Virginia, the data center capital of the world. Unlike Mr. Busch's rebuttal testimony, Mr. Luebbert does not also address "the entire concept of large load customers building facilities in Missouri."<sup>1</sup>

6. Commission Rule 20 CSR 4240-2.130(10) prohibits a party from supplementing pre-filed testimony unless ordered to do so by the presiding officer or the Commission. Due to the sudden resignation of Mr. Busch, and the need for testimony supporting the Staff Recommendation in this matter, there exists good cause for the Commission to strike Mr. Busch's rebuttal testimony from the record, and replace it with that of Mr. Luebbert. Due to there being no new information for the parties to respond to in surrebuttal within Mr. Luebbert's supplemental rebuttal testimony, and instead there are now fewer issues for parties to respond to, this replacement will not disadvantage other parties.

7. Commission Rule 20 CSR 4240-2.080(14) permits a party to request expedited treatment on a motion before the Commission. With surrebuttal due on Thursday, October 30, 2025, and to ensure the parties are aware as to whether a response to Mr. Busch's testimony regarding "the entire concept of large load customers building facilities in Missouri" is necessary, Staff requests a Commission order on this motion no later than Wednesday, October 29, 2025. This request is being filed as soon as it could have been.

---

<sup>1</sup> Rebuttal Testimony of James A. Busch, page 1, lines 22-23.

**WHEREFORE,** Staff respectfully submits this *Motion to Strike and for Leave to Replace the Rebuttal Testimony of James A. Busch, and Motion for Expedited Treatment* and respectfully requests the Commission (1) issue an order striking the rebuttal testimony of James A. Busch, (2) accepting the filing of the attached supplemental rebuttal testimony of J Luebbert, (3) issue an order regarding this request no later than Wednesday, October 29, 2025, and for any other further relief considered just and proper under the circumstances.

Respectfully Submitted,

**/s/ Travis J. Pringle**

Travis J. Pringle

Missouri Bar No. 71128

Alexandra Klaus

Missouri Bar No. 67196

Tracy Johnson

Missouri Bar No. 65991

Missouri Public Service Commission

P.O. Box 360

Jefferson City, MO 65102-0360

(573) 751-9533

[lexi.klaus@psc.mo.gov](mailto:lexi.klaus@psc.mo.gov)

[travis.pringle@psc.mo.gov](mailto:travis.pringle@psc.mo.gov)

[tracy.johnson@psc.mo.gov](mailto:tracy.johnson@psc.mo.gov)

**Attorneys for the Staff of the**

**Missouri Public Service Commission**

### **CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were mailed, electronically mailed, or hand-delivered to all counsel of record on this 24th day of October, 2025.

**/s/ Travis J. Pringle**