

**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 Approval of New Modified)	Case No. ET-2025-0184
Tariffs for Service to Large Load)	
Customers)	

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

COMES NOW the Office of the Public Counsel (“OPC”) and for its *Response to Motion to Strike and for Leave to Replace the Rebuttal Testimony of James A. Busch, and Motion for Expedited Treatment*, states as follows:

1. On July 10, 2025, the Commission issued an *Order Establishing Procedural Schedule* in the above styled case that established a procedural schedule that required surrebuttal and cross-surrebuttal to be filed by all parties on October 30, 2025.

2. On September 5, 2025, the Commission’s Staff (“Staff”) filed the rebuttal testimony of James A. Busch.

3. On October 24, 2025, Staff filed a *Motion to Strike and for Leave to Replace the Rebuttal Testimony of James A. Busch, and Motion for Expedited Treatment*, that sought to strike the rebuttal testimony of James A Busch, due to his resignation on October 2, 2025, and to substitute in its place new supplemental

rebuttal testimony offered by Staff witness J Lubbert. The Staff further requested the Commission rule on this motion by October 29, 2025.

4. This motion comes four business days before the previously imposed deadline to file surrebuttal responding to the offered rebuttal.

5. The OPC does not oppose Staff's motion to supplement the testimony of Mr. Busch, but does object to the timing issue that substitution creates.

6. If the Commission does withhold ruling on Staff's motion until the 29th, then there will be effectively one full day to edit surrebuttal accordingly to address the change in testimony.

7. Further, the OPC's initial comparison of the two testimonies offered suggests that there are material changes that will require the OPC to re-draft segments of its previously prepared surrebuttal testimony.

8. To rectify this, the OPC requests that, if the Commission grants Staff's *Motion*, it further modify the ordered procedural schedule to change the due date for surrebuttal from Thursday October 30 to Monday November 3.

9. This extension of two additional business days (four calendar days) will provide all parties an opportunity to review the new supplemental rebuttal testimony and further make such changes to the prepared, pre-filed surrebuttal testimony so as to properly address and respond to differences between what Staff had previously filed and the new testimony.

WHEREFORE, the Office of the Public Counsel respectfully requests that, should the Commission grant the relief requested in its Staff's *Motion to Strike and for Leave to Replace the Rebuttal Testimony of James A. Busch, and Motion for Expedited Treatment*, that it further modify the procedural schedule to change the due date for surrebuttal testimony (for all parties) from October 30 to November 3.

Respectfully submitted,

By: /s/ John Clizer
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CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this twenty-seventh day of October.

/s/ John Clizer