

**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)	

REPLY TO AMEREN’S RESPONSE

COMES NOW the Office of the Public Counsel (“OPC”) and for its *Reply to Ameren’s Response*, states as follows:

1. 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* in the above styled case.

2. On October 27, 2025, the OPC filed a response to the preceding motion that requested only two additional business days to modify its own surrebuttal so that it could address the changes Staff sought to make to its rebuttal testimony.

3. The OPC was asking for two business days because, if the Commission granted Staff’s request, the OPC would need to redevelop (*i.e.* re-write portions of) the surrebuttal that was previously developed to respond to the rebuttal testimony that Staff was seeking to strike.

4. Moreover, if the Commission did wait until October 29th to render its decision on Staff’s request, the OPC would need to perform those redevelopments in effectively one day. Even if the OPC began redeveloping its testimony the day Staff

filed its request, the OPC would only have had four business days before surrebuttal was due to make the necessary changes.

5. On October 28, 2025, Ameren filed its response to the OPC's response that sought to oppose the OPC's request.

6. Ameren's response has completely missed the point of the OPC's response, and so the OPC now files this reply to Ameren's response.

7. Ameren's response states:

The Company of course does not know what OPC intends to say about Mr. Busch's pre-filed testimony, which apparently will not be offered irrespective of the Commission's action on Staff's request that it be "stricken." If OPC desires to respond to that testimony in its surrebuttal, it should not need additional time to do so since it has, as noted, had six-plus weeks to do so.

8. To be clear: the OPC did "desire[]" to respond to [Mr. Busch's pre-filed] testimony in its surrebuttal" and the OPC has spent the "six-plus weeks" cited by Ameren in preparing to do just that. The problem is that, as Ameren itself acknowledges, the testimony that the OPC prepared to respond to is now apparently not going to "be offered irrespective of the Commission's action on Staff's request." This means that the testimony the OPC already prepared will no longer be proper surrebuttal and therefore cannot be offered. The OPC therefore does need additional time, as its own surrebuttal now must be re-written.

9. Despite this, the OPC is only asking for two additional business days to correct for this change.

10. These two business days will not have any material impact on the remaining schedule, despite what Ameren attempts to assert in its response.

11. Drafting the list of issue will not be impacted by the delay because each party is responsible for ensuring their own issues is included in the complete list. Even if a “new” issue were raised in any party’s surrebuttal testimony, it would not be included in the list of issues unless the party raising the issue sought its inclusion. Thus, a delay in the filing of surrebuttal does not delay the development of the list of issues as each party already knows what its own issues are.

12. As for the time to needed make a decision about further discovery, the change from five business days to three shold not severely impact the mere act of “deciding” to issue new discovery.

WHEREFORE, the Office of the Public Counsel respectfully requests the Commission grant the relief sought its initial response to Staff’s *Motion to Strike and for Leave to Replace the Rebuttal Testimony of James A. Busch*.

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-eighth day of October, 2025.

 /s/ John Clizer