

**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)	
Permission and Approval and Certificates of)	<u>File No. EA-2023-0286</u>
Public Convenience and Necessity)	Tracking No. JE-2026-0068
Authorizing it to Construct Renewable)	
Generation Facilities)	

**STAFF’S REPORT AND MOTION FOR EXTENSION OR, ALTERNATIVELY,
ORDER SUSPENDING TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and requests the Commission’s Order extending the deadline for Staff’s recommendation or, alternatively, for its Order suspending the tariff with Tracking No. JE-2026-0068.

1. On June 12, 2024, the Commission issued an Order Granting Certificate of Convenience and Necessity based upon a *Stipulation and Agreement*. Under the terms of the Agreement, the signatories agreed that the Commission should grant Ameren Missouri CCNs for the Split Rail Project, the Vandalia Project, and the Bowling Green Project, subject to conditions listed in paragraph 5 of the Agreement. Paragraph 5.j of the agreement stated that the CCNs would be subject to the condition, *inter alia*, that:

Reporting for any of the projects that are ultimately determined to be resources to be used for a future Renewable Solutions Program phase shall be as ordered by the Commission’s Report and Order in File No. EA-2022-0245. The Company shall notify Staff via a notice filed in this docket within seven (7) days after a decision to utilize such a project for the Renewable Solutions Program is made.

2. On June 16, 2025, Ameren Missouri filed a Notice Regarding Renewable Solutions Resources. Therein the Ameren Missouri gave notice:

. . .as required by ¶5j (second sentence) of the approved Stipulation and Agreement in this docket, that capacity from the Vandalia, Bowling Green, and Split Rail solar facilities will be offered for subscription in the Company's Renewable Solutions Program. Whether and to what extent capacity from one, two, or all three facilities will be used for the Renewable Solutions Program will depend on whether and to what extent the capacity is subscribed. Once the subscription event is complete, a Renewable Solutions Program Phase 3 tariff sheet reflecting renewable resource charges and credits will be submitted to the Commission.

3. On November 12, 2025, Ameren Missouri filed a tariff sheet to establish rates for Phase 3 of its Renewable Solutions Program using the Vandalia and Bowling Green solar facilities as resources. The tariff sheet bears an effective date of December 12, 2025, and has been assigned Tracking No. JE-2026-0068.

4. On November 12, 2025, the Commission issued its Order requiring Staff to file a recommendation on the sheet no later than November 19, 2025.

5. Ameren Missouri's filing letter for Tariff Tracking No. JE-2026-0068 states that the tariff was filed as a revision of Schedule No. 6, schedule of rates for electricity, and that the purpose of the new tariff Sheet No. 83.8 was to establish rates for Phase 3 of its Renewable Solutions. It states that the rates were developed as the result of an enrollment event seeking subscriptions to the Vandalia and Bowling Green solar facilities; that both facilities were offered as part of a Phase 3 rate schedule with their total nameplate capacities and respective capacity factors weighted and offered collectively in one phase; and that through the enrollment process, Phase 3 (both facilities) was fully subscribed.

6. The tariff sets out a Renewable Solutions Rate schedule – Program Phase No. 3. The tariff states that the rate schedule set out therein applies to Renewable Energy

Service for subscribers enrolled in Program Phase No. 3. It states that subsequent program phases, if any, shall have a separate rate schedule.

7. Staff has reviewed the Commission's filings and orders. Staff has reviewed the tariff and Ameren Missouri's work papers. Based upon a review of the tariff and the Commission's orders, Staff concludes that the tariff itself appears to comply with the previous orders of the Commission.

8. Staff, however, is unable to conclude that the tariff *filing* itself is not premature. Staff has in prior cases performed in-service evaluations of solar facilities prior to their use for service programs similar to the Renewable Solutions Program. Staff has confirmed with Ameren Missouri that the construction of neither Vandalia nor Bowling Green is now complete. Staff is advised that the Vandalia construction completion is expected by the end of 2025 and that the Bowling Green construction completion is expected in the first quarter of 2026. Staff's in-service criteria include the requirement that "all major construction work is complete."

Section 393.135, RSMo, states:

393.135. Charges based on nonoperational property of electrical corporation prohibited — exceptions, expiration. — 1. Except as provided in subsection 2 of this section, any charge made or demanded by an electrical corporation for service, or in connection therewith, which is based on the costs of construction in progress upon any existing or new facility of the electrical corporation, or any other cost associated with owning, operating, maintaining, or financing any property before it is fully operational and used for service, is unjust and unreasonable, and is prohibited.

9. Staff states that while the tariff itself may comply with the Commission's previous Orders, Staff is unable on the basis of information which it now has to conclude and advise the Commission that the tariff is not premature per the restrictions of Section 393.135, RSMo. Accordingly, Staff suggests that either the Commission extend

the deadline for a Staff recommendation to November 24, 2025, or enter its Order suspending the effective date until further Commission Orders.

WHEREFORE, Staff respectfully prays that the Commission will accept this pleading as compliant with the Commission's Orders.

Respectfully submitted,

/s/ Paul T. Graham

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CERTIFICATE OF SERVICE

The undersigned certifies by his signature below that on November 19, 2025 he filed the above captioned pleading in the EFIS file of the Missouri Public Service Commission.

/s/ Paul T. Graham