

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

SIERRA CLUB,

Plaintiff-Intervenor,

v.

AMEREN MISSOURI,

Defendant.

Civil Action No. 4:11-cv-00077-RWS

NOTICE OF FILING AGREED FORM OF AMEREN'S ATTACHMENT Y

Pursuant to the Court's February 8 and February 16 Orders (ECF Nos. 1203 & 1207), Ameren Missouri ("Ameren") has conferred, and reached agreement, with the United States and Sierra Club (together, the "Plaintiffs") regarding the form of, and language included in, the Attachment Y for the Rush Island Energy Center that Ameren intends to file with the Midcontinent Independent System Operator ("MISO"). The agreed form of Ameren's Attachment Y is attached to this Notice of Filing as **Exhibit 1**.

Unless the Court directs otherwise, Ameren intends to file this Attachment Y with MISO on or before March 1.

Because the parties have agreed upon the form of Ameren's Attachment Y, consistent with the Court's February 16 Order, the parties understand that a hearing will not be necessary tomorrow, Wednesday, February 23, and the parties' respective counsel do not intend to travel.

Ameren shared this Notice of Filing with Plaintiffs before filing it, and Plaintiffs have no objection to the Notice of Filing.

Dated: February 22, 2022

Respectfully submitted,

/s/ Matthew B. Mock

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Counsel for Defendant Ameren Missouri

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2022, I caused the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system, which will cause an electronic copy to be served on all counsel of record.

/s/ Matthew B. Mock

Matthew B. Mock

Exhibit 1

ATTACHMENT Y

Notification of Generation Resource/SCU/Pseudo-tied Out Generator

Change of Status,

Including Notification of Rescission

This is a notification of change of status of a Generation Resource, Synchronous Condenser Unit (“SCU”), or Pseudo-tied out Generator in accordance with Section 38.2.7.a of the Tariff. An electronic copy of the completed form will be accepted by the Transmission Provider, however, a form will not be considered complete until the original form containing an original signature, including all attachments, is received by the Transmission Provider at the following address: MISO, Attention: Director of Transmission Planning; 720 City Center Drive, Carmel, IN 46032.

The Transmission Provider may request additional information as reasonably necessary to support operations under the Tariff.

Owner of the Generation Resource, SCU or Pseudo-tied out Generator:

Union Electric Company – Ameren Missouri

Name of Market Participant: AMUE - Union Electric Company – Ameren Missouri

Owner’s state of organization or incorporation Missouri

Generation Resource/SCU/Pseudo-tied Out Generator [plant and unit number(s)]

Rush Island Unit 1 (AMMO.RUSH1), Rush Island Unit 2 (AMMO.RUSH2)

Source/Identification of Generation Interconnection Service [name of agreement, parties, date, date filed and docket number, and any other information to identify an agreement] none – Plant constructed in 1976 in Jefferson County, Missouri.

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Pursuant to the terms of the MISO Tariff, Owner hereby certifies that it will

Suspend for economic reasons operation of all or a portion of the Generation Resource/SCU/Pseudo-tied out Generator commencing on 1st of September of 2022

Rescind the current notice to Suspend the facility is further described as follows:

Location: Jefferson County, Missouri

Unit Name	CPNode (if applicable)	Nameplate Capacity(MW)	Change in Capacity(MW)
<u>Rush Island Unit 1</u>	<u>AMMO.RUSH1</u>	<u>597.2 MW</u>	<u>597.2 MW</u>
<u>Rush Island Unit 2</u>	<u>AMMO.RUSH2</u>	<u>597.8 MW</u>	<u>597.8 MW</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

Owner understands and agrees that this notification is provided in accordance with Section 38.2.7 of the Transmission Provider's Tariff and will not be made public by the Transmission Provider except as provided for under Section 38.2.7 of the Tariff.

The undersigned certifies that he or she is an officer of the owner of the Generation Resource/SCU/Pseudo-tied out Generator, that he or she is authorized to execute and submit this notification, and that the statements contained herein are true and correct.

(See attached Addendum)

Signature

Name: <u>Tim E. Lafser</u>	Contact Information
Title: <u>Vice President – Power Operations</u>	Email: <u>TLafser@ameren.com</u>
Date: <u>February 17, 2022</u>	Phone: <u>314-554-9923</u>

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STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, this day appeared _____, known by me to be the person whose name is subscribed to the foregoing instrument, who, after first being sworn by me deposed and said:

"I am an officer of _____, I am authorized to execute and submit the foregoing notification on behalf of _____, and the statements contained in such application are true and correct."

SWORN TO AND SUBSCRIBED TO BEFORE ME, the undersigned authority on this the _____ day of _____, 20____.

Notary Public, State of _____

My Commission expires

**Addendum to Ameren Missouri's
Attachment Y Notice for Rush Island Energy Center**

Ameren Missouri ("Ameren") submits this Addendum to its Attachment Y Notice for Rush Island Energy Center ("Rush Island") to provide additional context for MISO's assessment of the Attachment Y Notice. As MISO is aware, in *United States v. Ameren Missouri*, Case No. 4:11 CV 77 RWS (the "Case"), the United States District Court for the Eastern District of Missouri (the "Court") entered a judgment, which was affirmed on appeal, ordering Ameren to obtain a Prevention of Significant Deterioration ("PSD") permit and construct and operate flue gas desulfurization ("FGD") technology at Rush Island to control emissions of sulfur dioxide. Ameren has decided to retire Rush Island and the plaintiff, the United States, and the plaintiff-intervenor, Sierra Club, in the Case (collectively, the "Plaintiffs") agree that the prompt retirement of Rush Island would obviate the need to install FGD controls currently required by the Court.

Ameren informed the Court and the Plaintiffs that MISO's tariff requires MISO to evaluate any impacts on the reliability of the Transmission System which may result from Rush Island's retirement, and that Ameren's preliminary assessment and MISO's Attachment Y-2 nonbinding, informational study have identified multiple potential reliability impacts in both steady state and stability study results, including at least one impact in the steady state study results that may require Rush Island to be designated as a System Support Resources ("SSR") unit. Ameren requests that MISO's formal Attachment Y Reliability Study and any Attachment Y Alternatives Study identify and evaluate all feasible solutions to address any reliability issues, including all alternatives contemplated by the MISO tariff (e.g., Section 38.2.7, Rate Schedule 1, etc.). If MISO's evaluation concludes that alternatives to the designation of Rush Island as an SSR are not available, Ameren requests that MISO further consider the following operating criteria so as to minimize Rush Island operations to the greatest extent practicable in accordance with the MISO tariff:

- operation of only one of Rush Island's two units;
- operation of one or both of Rush Island's units during only certain times, such as peak winter or summer months and emergencies;
- operation of one or both of Rush Island's units at less than full load; and
- operation of one or both Rush Island units at minimum load necessary for stable operations.