

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Union Electric Company)
d/b/a Ameren Missouri's Tariff to Adjust Its)
Revenues for Electric Service)

Case No. ER-2026-0291

**MOTION FOR RECONSIDERATION OF ORDER GRANTING APPLICATIONS
TO INTERVENE AND ORDER SETTING PROCEDURAL SCHEDULE**

COMES NOW the Office of the Public Counsel (the “OPC”) and respectfully requests that the Public Service Commission of the State of Missouri (the “Commission”) reconsider its Order Granting Applications to Intervene and Order Setting Procedural Schedule (the “Order Setting Procedural Schedule,” Doc. 34) to (1) add a deadline for position statements,¹ and (2) return the date for the evidentiary hearing and the deadlines for post-hearing briefing to the dates suggested by the parties in the unopposed Jointly Proposed Procedural Schedule and Procedures (the “Jointly Proposed Procedural Schedule,” Doc. 32). In support, the OPC states:

I. Overview

Two large general rate cases with very similar operation of law dates are currently pending before the Commission—this case filed by Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) and another filed by Missouri-American Water Company (“MAWC”), Case Number WR-2026-0304 (the “MAWC General Rate Case”). Specifically, the operation of law date for the MAWC case is Friday, May 28, 2027, while the operation of law date for this case is only one (1) business day² or four (4) calendar days later, Tuesday, June 1, 2027. (*Compare* July

¹ Counsel for the Staff of the Commission (“Staff”) recently reached out to the Regulatory Law Judge in this matter concerning the missing deadline for Position Statements. It is counsel for the OPC’s understanding that the Commission intends to address this by separate order. However, because that order has not been issued at the time of this filing, the OPC includes this issue as part of this motion.

² The OPC notes that Monday, May 31, 2027, is the 2027 Memorial Day holiday.

2, 2026 Order 4, Case Number WR-2026-0304, Doc. 20; *with* July 8, 2026 Order 2, Case Number ER-2026-0291, Doc. 21).

These similar operation of law dates mean that the procedural schedules of these two cases must contain deadlines that, in many instances, are very near to one another and, in some instances, overlap. The need for the proximity of the deadlines between the two cases required parties in both cases to carefully negotiate the proposed procedural schedules. In doing so, the parties considered the information specifically requested by the Commission in its orders requesting the proposed procedural schedules, as well as the Commission's publicly available calendar. (*See* June 30, 2026 Order 1-2, Case Number ER-2026-0291, Doc. 18; July 2, 2026 Order 2-3, Case Number WR-2026-0304) These extensive discussions produced unanimous agreements (including some non-oppositions) in both cases. (*See* Jointly Proposed Procedural Schedule 1, Case Number ER-2026-0291; Joint Proposed Procedural Schedule 1, Case Number WR-2026-0304, Doc. 32).

However, when the Commission entered its Order Setting Procedural Schedule in this case, it adopted changes to the procedural schedule agreed to by the parties in this case that create overlap with the proposed procedural schedule in the MAWC General Rate Case. To alleviate this overlap and to allow all parties in both cases the opportunity to fairly present their cases to the Commission, the OPC requests that the Commission reconsider its Order Setting Procedural Schedule in this case and instead order the procedural schedule as proposed by the parties.³

II. Background

The OPC will first provide a brief background of each of the general rate cases.

³ As explained below, the OPC does not ask that the Commission reconsider the change to the deadline for parties to provide issues values to Staff.

A. Ameren Missouri’s General Rate Case, Case Number ER-2026-0291

On June 26, 2026, Ameren Missouri filed tariff sheets, supporting direct testimony, and various other documents requesting to increase its base rates by approximately 10.4%. (Case Number ER-2026-0291, Docs. 2-17). On June 30, 2026, the Commission, in pertinent part requested that the parties submit a joint proposed procedural schedule no later than July 22, 2026.

On July 22, 2026, as ordered by the Commission, the parties⁴ filed the Jointly Proposed Procedural Schedule. On July 30, 2026, the Commission entered the Order Setting Procedural Schedule stating, in pertinent part, that “[t]he Commission finds the schedule reasonable, and it will adopt it with slight modifications.” (Order Setting Procedural Schedule 2). It appears that the Commission made five changes to the schedule proposed by the parties, specifically:

Event	Jointly Proposed Procedural Schedule (ER-2026-0291)	Order Setting Procedural Schedule (ER-2026-0291)
Parties Provide Issues Values to Staff	February 25, 2027	February 22, 2027
Position Statements	March 9, 2027	<i>Not Included</i>
Evidentiary Hearing	March 22-April 2, 2027	March 15-26, 2027
Initial Briefs	April 20, 2027	April 13, 2027
Reply/True-Up Briefs	April 30, 2027	April 23, 2027

The Commission did not identify a reason for changing the dates and deadlines.

⁴ The parties to this matter are Ameren Missouri; the Staff of the Commission; the OPC; Consumers Council of Missouri; Google, LLC; Sierra Club; IBEW Local Unions 2, 1455, and 1439; Missouri Industrial Energy Consumers; Warrenton DC Owner 1 LLC and Warrenton DC Owner 2 LLC; Midwest Energy Consumers Group (“MECG”); and Amazon Data Services, Inc.

Of the twelve parties to this matter all except Warrenton DC 1, Warrenton DC 2, and MECG joined the Jointly Proposed Procedural Scheule. (*See* Jointly Proposed Procedural Schedule 1). Warrenton DC 1, Warrenton DC 2, and MECG did not object to the proposed procedural schedule. (*Id.*).

B. MAWC's General Rate Case, Case Number WR-2026-0304

On July 1, 2026, MAWC filed tariff sheets, accompanying testimony, and various other documents requesting an approximately 31.2% rate increase. (Case Number WR-2026-0304, Docs. 2-19). On July 2, 2026, the Commission ordered, in pertinent part, the parties to file a proposed procedural schedule no later than July 21, 2026. (July 2, 2026 Order 4, Case Number WR-2026-0304).

On July 21, 2026, Staff requested that the Commission extend the deadline to file the proposed procedural schedule until August 3, 2026, as Staff, MAWC, and the OPC were “working to develop a procedural schedule.” (Mot. for Extension 1, Case Number WR-2026-0304, Doc. 30). The Commission granted the request and ordered that the proposed procedural schedule be filed no later than August 3, 2026. (July 22, 2026 Order 2, Case Number WR-2026-0304, Doc. 31).

On August 3, 2026, Staff filed the proposed procedural schedule on behalf of itself, MAWC, and the OPC.⁵ (Joint Proposed Procedural Schedule 1, Case Number WR-2026-0304)

III. Legal Standard: Motion for Reconsiderations

Commission Rule 20 CSR 4240-2.160(2) allows motions for reconsideration of procedural orders to be filed within ten (10) days of the date the order is issued, unless otherwise ordered by the Commission. Specifically, the rule requires that the motion for reconsideration “set forth specifically the ground(s) on which the applicant considers the order to be unlawful, unjust, or unreasonable.” 20 CSR 4240-2.160(2).

⁵ Though several parties have requested to intervene in the MAWC General Rate Case, the Commission has not yet ruled on those requests.

IV. Argument: The Commission's Order Setting Procedural Schedule is Unreasonable

The Commission's Order Setting Procedural Schedule is unreasonable because the Commission's decision to adopt different dates for the evidentiary hearing and post-hearing briefs than what was proposed by the parties in the Jointly Proposed Procedural Schedule has created an overlap between the evidentiary hearing to be held in this case and that agreed to by parties in the MAWC General Rate Case. It is also unreasonable because the Commission did not include a deadline for the parties to provide position statements in this case.⁶

When the Commission entered its Order Setting Procedural Schedule in this matter, it changed five deadlines from those proposed by the parties. Though the OPC does not oppose the Commission's change to the deadline for parties to provide issues values to Staff, it urges the Commission to reconsider its decision to (1) not include a deadline for the parties to file position statements and (2) change the date for the evidentiary hearing and the deadline to file post-hearing briefs.

The OPC participated in extensive negotiations with parties in both this case and the MAWC General Rate Case to reach proposed procedural schedules that allowed all parties in both cases to fairly present their cases to the Commission. An important part of these negotiations focused on the date for the evidentiary hearing. As the Commission is aware, that date must balance the need to allow parties the time necessary to fully develop their cases, including pre-filed testimony, with the need to conclude the hearing with sufficient time for the parties to complete post-hearing briefing and for the Commission to prepare the final order. Comparing the

⁶ This appears to be an oversight as the Commission specifically referenced this requirement when ordering the proposed procedural schedule. (June 30, 2026 Order 1, Case Number ER-2026-0291).

proposed procedural schedules side-by-side shows the substantial overlap between them, including the stacking of the evidentiary hearings:

Event	Ameren Missouri Rate Case (Proposed) (ER-2026-0291)	MAWC General Rate Case (Proposed) (WR-2026-0304)
Discovery Conference	September 10, 2026	September 23, 2026
Discovery Conference	October 8, 2026	October 28, 2026
Discovery Conference	November 5, 2026	November 18, 2026
Non-Company Direct (Revenue Requirement)	December 4, 2026	November 30, 2026
Company Provides Update Information of at least the items included in Appendix A through October 2026	<i>Not Included⁷</i>	December 15, 2026
1 st Technical Conference	<i>Not Included</i>	December 16, 2026
Non-Company Direct (CCOS and Rate Design)	December 18, 2026	December 18, 2026
Company & Staff Agree on Acctg./Financial DRS to update with data through true-up	December 18, 2026	<i>Not Included</i>
2 nd Technical Conference	<i>Not Included</i>	December 29, 2026
Discovery Conference	January 7, 2027	January 13, 2027
Local Public Hearings	January 2027	December 7, 2026 (Begin) December 18, 2026 (End)
Rebuttal Testimony	January 15, 2027	January 20, 2027
Company Provides True-Up Information	January 28, 2027	<i>Not Included</i>
Discovery Conference	February 4, 2027	February 11, 2027

⁷ Not all deadlines identified in each proposed procedural schedule are included in the proposed procedural schedule filed in the other case.

Surrebuttal Testimony and True-Up Direct	February 16, 2027	February 19, 2027
Settlement Conference	February 18-19, 2027	February 22-23, 2027
Parties Provide Issues List to Staff	February 22, 2027	February 22, 2027
Last Day to Notice a Deposition	February 22, 2027	February 8, 2027
Parties Provide Issues Values to Staff	February 25, 2027	February 22, 2027
List of Issues, Order of Hearing	March 2, 2027	February 24, 2027
Reconciliation Filed	March 2, 2027	February 24, 2027
True-Up Rebuttal	March 4, 2027	<i>Not Included</i>
Last Day to Request Discovery	March 9, 2027	February 24, 2027
Last Day to Object to Discovery	<i>Not Included</i>	February 26, 2027
Position Statements	March 9, 2027	March 1, 2027
Evidentiary Hearing	March 22-April 2, 2027	March 8-19, 2027
Initial Post-Hearing Briefs	April 20, 2027	April 9, 2027
Reply Briefs	April 30, 2027	April 26, 2027
Operation of Law Date	June 1, 2027	May 28, 2027

When the Commission adopted a different date for the evidentiary hearing in this case, it created an overlap with the date included for the evidentiary hearing in the proposed procedural schedule in the MAWC General Rate Case. Though the Commission has two hearing rooms, counsel for the OPC is not aware of the Commission holding two hearings at the same time. The OPC also questions this outcome as it would require the Commissioners to pick which hearing to attend and may create logistical difficulties as witnesses for at least the OPC and perhaps for some other parties will appear in both cases.

The Commission should reconsider its Order Setting Procedural Schedule in this case and order the deadline for position statements, the dates for the evidentiary hearing, and the deadlines

for post-hearing briefing dates as proposed by the parties.⁸ These dates have previously been agreed to, or not objected to, by all parties to this matter. The Commission also did not identify why it chose to change the dates in the Order Setting Procedural Schedule. Adoption of these dates would further allow the Commission to keep the dates as proposed by the parties in the MAWC General Rate Case.

V. Conclusion

WHEREFORE, the OPC respectfully requests that the Commission reconsider its Order Setting Procedural Schedule, order the deadline for position statements, the dates for the evidentiary hearing, and the deadlines for post-hearing briefing dates as proposed by the parties, and for any other relief deemed necessary and appropriate by the Commission.

Respectfully submitted,

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⁸ The OPC notes that it is not sufficient for the Commission to change only the hearing dates for this case without also changing the deadlines for the post-hearing briefs. If the Commission were to do so, the hearing would end on April 2, 2027, and transcripts for the last day of hearing would not become available until April 6, 2027. This would give counsel for the parties only one week to prepare their Initial Post-Hearing Briefs. To ensure that counsel have sufficient time to prepare post-hearing briefs, the OPC maintains that the Commission must change both the dates for the evidentiary hearing and the deadlines for the Initial and Reply Post-Hearing Briefs.

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing will be emailed to all counsel of record this 4th day of August 2026.

/s/ Lindsay VanGerpen