

Exhibit No.: _____
Issue(s): Ratepayer Protections/Cost Causation/
Agrivoltaics/BESS Fire Suppression and
Incident Response Plans/Local Public Hearings
& Customer Comments
Witness/Type of Exhibit: Marke/Rebuttal
Sponsoring Party: Public Counsel
Case No.: EA-2026-0183

REBUTTAL TESTIMONY
OF
GEOFF MARKE

Submitted on Behalf of the Office of the Public Counsel

UNION ELECTRIC COMPANY
D/B/A AMEREN MISSOURI

CASE NO. EA-2026-0183

**

**

Denotes Confidential Information that has been redacted

August 11, 2026

PUBLIC

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REBUTTAL TESTIMONY

OF

GEOFF MARKE

UNION ELECTRIC COMPANY

D/B/A AMEREN MISSOURI

CASE NO. EA-2026-0183

I. INTRODUCTION

Q. Please state your name, title, and business address.

A. Geoff Marke, PhD, Chief Economist, Office of the Public Counsel (OPC or Public Counsel),
P.O. Box 2230, Jefferson City, Missouri 65102.

Q. What are your qualifications and experience?

A. I have been in my present position with OPC since 2014 where I am responsible for economic
analysis and policy research in electric, gas, water, and sewer utility operations.

Q. Have you testified previously before the Missouri Public Service Commission?

A. Yes. A listing of the Commission cases in which I have previously filed testimony and/or
comments is attached in Schedule GM-1.

Q. What is the purpose of your rebuttal testimony?

A. To provide a response to the direct testimony filed by Union Electric Company d/b/a Ameren
Missouri (“Ameren Missouri” or the “Company”) witnesses including Steven M. Wills, Matt
R. Michels, Robert B. Dixon, and Scott Wibbenmeyer.

Q. What are your recommendations in this case?

A. Consistent with the position I have taken in EA-2025-0238 (“Big Hollow” Natural Gas) and
EA-2025-0239 (“Reform Solar”). I am providing conditional support for these projects
dependent entirely on large load customers covering these expenses in total. Additionally, I
have made specific recommendations for agrivoltaic enhancements for the solar projects
and fire suppression and incident response plans for the battery energy storage systems
(“BESS”) as well as a series of recommendations regarding proper and timely public

1 notifications, and the inclusion of site selection maps. Finally, I am requesting that Ameren
2 Missouri answer the questions in EFIS (and also attached in GM-2) submitted by Jake Burns
3 from Eolia, Missouri and address concerns surrounding traffic and road maintenance
4 associated with the construction of these facilities.

5 To be clear, the only reason we need to purchase excess solar generation and complementary
6 battery energy storage systems (“BESS”) at this moment in time and under these inflated
7 prices is to meet the need for projected data center load. Absent a firm commitment for
8 participating data centers to put up the funds to cover the entire costs of the project, I do not
9 believe it is prudent for Ameren Missouri to move forward with these projects.

10 II. Ratepayer Protections

11 Q. What statutory protection exists to shield ratepayers from costs caused by data centers
12 in Missouri?

13 A. That would be § 393.130(7), RSMo which states:

14 Each electrical corporation providing electric service to more than two hundred fifty
15 thousand customers shall develop and submit to the commission schedules to
16 include in the electrical corporation's service tariff applicable to customers who are
17 reasonably projected to have above an annual peak demand of one hundred
18 megawatts or more. **The schedules should reasonably ensure such customers'**
19 **rates will reflect the customers' representative share of the costs incurred to**
20 **serve the customers and prevent other customer classes' rates from reflecting**
21 **any unjust or unreasonable costs arising from service to such customers.** Each
22 electrical corporation providing electric service to two hundred fifty thousand or
23 fewer customers as of January 1, 2025, shall develop and submit to the commission
24 such schedules applicable to customers who are reasonably projected to have above
25 an annual peak demand of fifty megawatts or more. The commission may order
26 electrical corporations to submit similar tariffs to reasonably ensure that the rates of

1 customers who are reasonably projected to have annual peak demands below the
2 above-referenced levels will reflect the customers' representative share of the costs
3 incurred to serve the customers and prevent other customer classes' rates from
4 reflecting any unjust or unreasonable costs arising from service to such customers.
5 (emphasis added)

6 **Q. Have there been similar assertions put forward around cost allocation associated with**
7 **data centers load requirements?**

8 A. Yes, there have been many, including from:

9 President Donald Trump:¹

10 In March 2026, the White House secured a formal Ratepayer Protection Pledge signed by
11 executives from major tech companies, including Amazon, Google, Meta, Microsoft,
12 OpenAI, Oracle, and xAI. The ratepayer pledge includes the following proclamation:

¹ President Trump introduced the pledge as follows:

Today, we follow through on an announcement I made in my State of the Union address last week as America's largest tech companies officially signed the ratepayer protection pledge. It's a big deal. I'm going to have a tremendous impact on electricity costs. We're bringing down all of the costs . . . Under this new agreement, Big Tech companies are committing to fully cover the costs of increased electricity production required for AI data centers and that would be prices for American communities will not go up, but in many cases will actually come down very substantially because you know the data centers and you people are so big, you're the – the biggest in the world.

But they've developed a little bit of a bad public – they have – they need some PR help because people think that if a data center goes in there, electricity prices are going to go up. And that's not happening. It's not going to happen. And for the areas where it did happen, it won't happen anymore because they never had this alternative.

It's actually going to mean the prices come down, you're going to see how badly they want, some, some centers were rejected by communities for that. And now I think it's going to be just the opposite. This means that the tech companies and the data centers will be able to get the electricity they need all without driving up electricity costs for consumers.

This is a historic win for countless American families and will also make our electricity grid stronger and more resilient than ever before. So that's part of it. It's going to be strengthened up and they're going to be getting a lot of excess electricity from the data centers where they build their own plants.

[A]s data centers expand their footprint and electricity demand associated with AI increases, **American households must be protected against increasing energy costs. The hyperscalers and AI companies that increase electricity demand must pay for the full cost of the energy and infrastructure needed to build and operate data centers, and must not pass this cost on to the American people.**

Instead, the data center boom should be leveraged to address affordability and benefit all American households and businesses.

Today, pursuant to the Ratepayer Protection Pledge, leading United States hyperscalers and AI companies guarantee that data centers' energy needs will not increase household electricity costs for American citizens. Instead, **these companies will build, bring, or buy the new generation resources and electricity needed to satisfy their energy demands, and pay for all new power delivery infrastructure upgrades to service their data centers.** They will voluntarily negotiate new, separate rate structures with their utilities and relevant State governments, and pay those rates, and for their infrastructure, whether they use the electricity or not. They will also invest in local communities and coordinate with grid operators to contribute to a more reliable grid. These measures will ensure that Americans are protected from higher energy prices, benefit from grid upgrades and increased grid resilience, and benefit from this technological boom while the United States continues its global leadership in innovation and advanced technology.² (emphasis added)

Missouri Governor Mike Kehoe:

The Governor's official webpage includes the following language around data centers in Missouri:

² The White House (2026) Ratepayer Protection Pledge Proclamation. <https://www.whitehouse.gov/presidential-actions/2026/03/ratepayer-protection-pledge-proclamation/>

1 Missourians elected Governor Kehoe to both protect our state's resources and
2 promote Missouri as a premier destination for transformational investment. Data
3 centers strengthen Missouri's economy, create high-paying jobs, and position our
4 state for long-term growth.

5 Governor Kehoe and his team continue to work with state partners and private
6 industry to ensure that the energy affordability and water availability concerns that
7 accompany these announcements are addressed before moving forward with them.

8 Additionally, **Missouri already has important consumer protection laws that**
9 **prevent any companies from passing the costs onto the communities of these**
10 **new centers through Senate Bill 4, which Governor Kehoe signed into law in**
11 **2025.**

12 Investments like these will create ripple effects across our economy and help secure
13 opportunities for future generations of Missourians.³ (emphasis added)

14 Executive Order 26-02 also includes the following language:

15 Ratepayer Protection: The Director shall coordinate the review of current state
16 regulations and utility practices to **ensure that the construction and operation of**
17 **data centers and other large power users do not result in higher energy rates**
18 **for residential and small business Missourians, in accordance with the principle**
19 **that large users should cover their full cost of electricity and infrastructure**
20 **service and, when appropriate, contribute to the further development of**
21 **sustainable, dispatchable power generation.**⁴

³ Office of Governor Mike Kehoe (2026) Data Centers in Missouri. <https://governor.mo.gov/official-statements/data-centers-missouri>

⁴ Kehoe, M. (2026) Executive Order 26-02. Missouri Secretary of State.
(<https://www.sos.mo.gov/library/reference/orders/2026/eo2>)

The Federal Energy Regulatory Commission (“FERC”):

On June 18, 2026, FERC issued a “show cause” order under Section 206 of the Federal Power Act to each of the six regional grid operators under its jurisdiction.⁵ According to FERC:

The orders respect the region-specific market rules that are already in place, anticipate differences in responses due to regional variability, and propose five categories of further reforms that grid operators should address:

1. Developing efficient transmission service application and study processes, including consideration of alternative transmission technologies
2. **Preventing cost shifting and requiring transparency into transmission costs**
3. Accommodating co-location arrangements and behind the meter generation
4. Providing new transmission services for flexible large loads
5. Developing a process to study generating facilities serving electrically proximate large loads and large co-located loads

Importantly, nothing in today’s orders intrudes either on the authority of states to select, site, and permit generating resources or on the authority of state public utility commissions to set the rates, terms and conditions of retail sales of electricity. **The orders also make clear that the Commission acts today to guard against cost shifting among transmission customers but leaves to the states the responsibility to ensure that there is no cost shifting among retail customers.**⁶

⁵ A “show cause” order from FERC is a regulatory mandate requiring an entity (the grid operator(s)) to justify its current practices or propose reforms to avoid penalties.

⁶ FERC (2026) FERC Launches Aggressive Targeted Action to Speed Large Load Integration.
<https://www.ferc.gov/news-events/news/ferc-launches-aggressive-targeted-action-speed-large-load-integration>

Q. Did the Ratepayer Pledge specifically speak to generation costs?

A. Yes. Per the Ratepayer Pledge:

Commitment I: Build, bring, or buy new power supply.

Signatories procure the generation resources needed for their new energy demand — building or buying from new or otherwise additive power plants — **and pay the full cost**. Where possible, they add capacity that increases supply for the broader public.⁷ (emphasis added)

Q. Did Ameren Missouri publicly sign and support this agreement?

A. Yes. Ameren publicly committed to having data centers pay for their generation. Their signature of support is currently on the White House's page reprinted in Figure 1:

Figure 1: Ameren's Public Pledge to have Data Centers pay for their costs (emphasis added)⁸

THE SIGNATORIES

Utilities, cooperatives, and data-center developers backing the pledge.

ALL 281 COOPERATIVES 176 UTILITIES 69 DATA CENTER DEVELOPERS 37

SHOWING 69 OF 282 FILTER SEARCH BY NAME OR DOMAIN

A		
AEP Ohio	UTILITY	aepohio.com
AEP Texas	UTILITY	aeptexas.com
AES Corp	UTILITY	aes.com
Algonquin Power & Utilities Corp.	UTILITY	libertyutilities.com
ALLETE	UTILITY	mnpower.com
Alliant Energy	UTILITY	alliantenergy.com
Ameren Corporation	UTILITY	ameren.com

⁷ White House (2026) Ratepayer Pledge: Data centers pay their way. Ratepayers pay theirs.
<https://www.whitehouse.gov/ratepayer-protection-pledge/>

⁸ *Ibid.*

Q. Has Ameren Missouri's rhetoric been consistent with those assertions?

A. No.

Comments made by Ameren Missouri and quoted in a February 19th news article on STLPR suggest that Ameren Missouri has every intention to socialize both costs and risk for future generation investment onto existing ratepayers. The article titled: "Ameren says Armory data center wouldn't raise electric bills in St. Louis" states:

Alderwoman Anne Schweitzer asked Ameren officials to clarify what costs are absorbed by all Ameren consumers. Owners of large-load facilities must pay all costs associated with connecting to Ameren's power grid, said James O'Mara, Ameren Missouri's manager of economic development. But when pressed, O'Mara clarified that all Ameren customers, including residential customers, pay for expanding the grid through building new power plants through rate increases, and that may be needed to accommodate large-load customers.⁹

Q. You are citing a February 19th publication. Has Ameren Missouri provided more recent comments since the ratepayer pledge distinction?

A. Not that I have seen outside of the White House website. Admittedly, this was July 23rd, well after Ameren Missouri's direct testimony. Surrebuttal testimony gives Ameren Missouri a chance to clarify the record and be consistent with its corporate structure, two-week-old public pledge, and promise to the White House and the public.

The Commission has already approved multiple riders to enable large load customers to pay for renewables and not shift costs onto other customers. Ameren Missouri should amend its application and provide affirmation that data centers will take service under the appropriate riders and cover all of the associated expenses with these investments. It is a mystery to me

⁹ Grawitch, K. (2026) Ameren says Armory data center wouldn't raise electric bills in St. Louis. STLPR. <https://www.stlpr.org/health-science-environment/2026-02-19/ameren-armory-data-center-electric-bills-st-louis>

1 why the Company has not taken advantage of this forum and assuaged the fears surrounding
2 these CAPEX-intensive investments.

3 **III. COST CAUSATION**

4 **Q. Can you provide an overview of the cost causation problem you are attempting to**
5 **highlight in this case?**

6 **A.** Sure. To quote the former CEO of Octopus Energy and the author of the Distributed Grid
7 Substack Michael Lee:

8 Here is the thing most people miss when they debate data centers and electricity
9 costs:

10 The grid that exists today is largely adequate for the people who are connected to it.
11 The substations, the distribution lines, the transmission corridors, the transformers,
12 all of it, were sized over decades to serve homes, commercial buildings, factories,
13 hospitals, and schools. Those customers are already there. Yes, we have
14 maintenance and normal replacement, but the infrastructure largely works for them.

15 The reason utilities are announcing capital plans in the tens of billions of dollars
16 each is not because the existing grid is broken. In aggregate, utility capital plans
17 across the sector now exceed \$1 trillion over five years according to Morningstar. It
18 is because an entirely new class of customer is showing up. Customers that in some
19 cases consume as much electricity as a mid-sized city, and want to be served at the
20 same rate structure designed for people who run dishwashers and air conditioners.

21 We are not debating whether to modernize a failing grid... we are debating who
22 should pay for a new grid being built to serve new customers.

23 The answer is not complicated. The new customers should pay their own way.¹⁰

¹⁰ Lee, M. (2026) Data Centers Should Fully Pay Their Own Way. Distributed Grid.
<https://distributedgrid.substack.com/p/data-centers-should-fully-pay-their>

1 **Q. Do you agree with that sentiment?**

2 A. 100%.

3 **Q. Can you provide some evidence supported by Ameren Missouri to substantiate both**
4 **the expected load and costs of these data centers?**

5 A. Yes. Figure 2 displays slide 10 from Ameren Missouri's 2nd quarter earnings call
6 highlighting the sales growth opportunities from large load customers.

7 Figure 2: Ameren Missouri Q2 Earnings Call, "Robust Missouri Sales Growth Opportunities
8 (emphasis added)



9
10 Astute readers will note that the highlighted section of Figure 2 states:

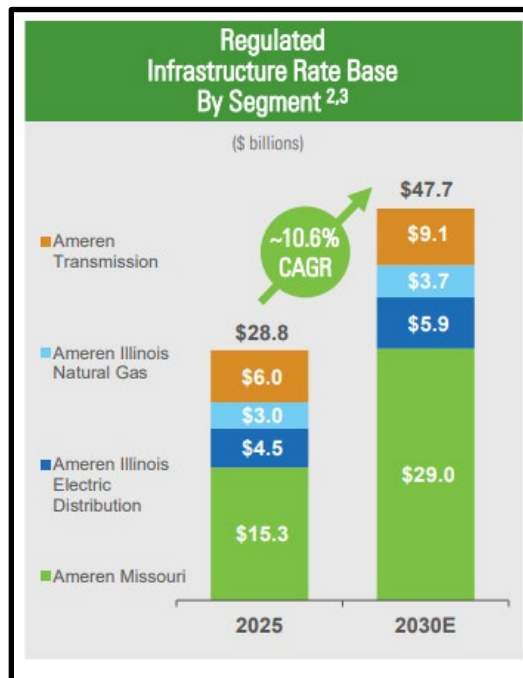
1 Executed ESAs [energy service contracts] call for sales to begin in second half of
2 2027 and drive 60% in total Ameren Missouri sales by the end of 2029 compared to
3 2025.¹¹

4 After years of low-to-no (and often declining) load growth, Ameren Missouri now expects
5 load to increase by 60% in approximately three years.

6 Four slides later, the earnings call also states that to accomplish this, the rate base will need
7 to increase by approximately 90%. Consider for a moment what that means... 90% of
8 everything Ameren has today. The power plants, the wires, the meters, the trucks, the
9 substations, the desk at the office—90% of the affiliated company's rate base worth will be
10 invested to serve a handful of very large customers who are receiving unprecedented
11 pushback locally and nationally and whose primary service (enabling and embedding
12 artificial intelligence) has yet to show profitable returns. And Ameren intends to do it in a
13 couple of years as seen in Figure 3.

¹¹ Ameren (2026) Powering Growth: Ameren Corporation Second Quarter 2026 Earnings Call Conference Call July 31, 2026. https://s21.q4cdn.com/448935352/files/doc_financials/2026/q2/Q2-2026-Slides-FINAL.pdf

Figure 3: Ameren Missouri Rate Base Growth Projections¹²



Q. Is there a risk concern associated with having a handful of customers propping up a 90% increase to rate base in a couple of years?

A. Characterizing this as a “risk concern” would be a gross understatement.

Simply put, relying on a few key buyers for most of your income creates extreme business risk. If one or more data center customers go insolvent it could quickly have a cascading effect on existing customers, shareholders, and the ability to provide safe and reliable service at affordable prices.

General Systems theory calls this scenario a “Single Point of Failure (“SPOF”). Where a critical component or part of a larger system (in this case a few data centers) has no backup or redundant substitute. If that critical part (or customer in this case) stops working (becomes

¹² *Ibid.*

insolvent), the entire system can collapse. Such a risk distorts the regulatory compact and risks holding existing customers hostage to uncertainty.

Q. How would you respond to criticism that would contend that this rhetoric is too extreme?

A. Comparative context helps with perspective. Sixteen years ago in Case No. ER-2010-0036, Ameren Missouri witness Wilbon L. Cooper requested that the now defunct Noranda aluminum smelter in Southeast Missouri be placed on a “take or pay” rate structure that charged Noranda 100% of its costs regardless of any shortfall. Mr. Cooper stated:

Given the unique circumstance of having one retail customer connected to AmerenUE’s system via a third party’s transmission lines that **represents fully six percent of the Company’s retail revenues**, this uncertainty must be addressed in the design of the Company’s rates.¹³ (emphasis added)

To be clear, Ameren Missouri recognized the inherent risk of having 6% of its load tied to a single customer for investments already made and recommended clear 100% guardrails in an attempt to shield both shareholders and ratepayers from under/over payment. That concern seems trivial in comparison to the risk that exists at this moment.

We are now rapidly approaching the point of no return where unprecedented CAPEX spend is tied to a few massively large niche customers in just a couple of years. That sentence should give everyone pause.

Q. What happened to Noranda?

A. It went insolvent, and existing ratepayers had to bear those sunk fixed costs associated with that load.

¹³ Case No. ER-2010-0036, Direct Testimony of Wilbon L. Copper P.27, 10-13.

Q. Can you provide a sense of the scale, cost, and type of investments Ameren Missouri has sought with CCN's over the past four years?

A. Yes. Table 1 breaks down approved and pending generation investments by type from 2022 to present.

Table 1: Ameren Missouri Planned and Pending Generation Investment 2022 to present¹⁴

Generation	Cost (High)	Cost (Low)	MW Nameplate	MW Summer	MW Winter
Boomtown Solar	**	**	150	75	7.5
Huck Finn Solar	**	**	200	100	10
Cass County Solar	**	**	150	75	7.5
Spilt Rail Solar	**	**	300	150	15
Vandalia Solar	**	**	50	25	5.5
Bowling Green Solar	**	**	50	25	5.5
Tom Sawyer Solar	**	**	175	87.5	8.75
Ringer Solar	**	**	225	112.5	12.5
Castle Bluff Gas	**	**	800	760	760
Big Hollow Gas	**	**	800	760	760
West Alton Gas	**	**	2100	1995	1995
BESS: Big Hollow	**	**	400	380	380
BESS: Current	**	**	545	517.75	517.75
	**	**			
Total	**	**	5945	5062.75	4485
	**	**			
(Rush Island)	**	**	-1241	-1178	-1178
(Venice)	**	**	-487	-463	-463
Total	\$ 14,641,000,000.00	\$12,902,000,000.00	4217	3422	2844

Q. What should the Commission note from this table?

A. That these cost estimates do not include any fuel costs, let alone any distribution or transmission investment necessary to support these new generation investments.

¹⁴ Shaded grey areas denotes investments that have already been approved by the Missouri Public Service Commission.

Q. Can you provide a breakdown by generation type?

A. Yes. Table 2 provides a further breakdown of costs across generation types as well as the cost differences that have occurred in just a couple of years due to data center demand.

Table 2: High and Low Cost Estimates of Ameren Missouri's Approved and Pending Generation 2022-present by Generation Type

Generation	Estimated Cost (High)	Estimated Cost (Low)	MW nameplate	\$ per MW (High)	\$ per MW (Low)
Approved Solar	**	**	900	**	**
Pending solar	**	**	400		**
Total Solar	**	**	1300	**	**
Approved Battery	**	**	400	**	**
Pending Battery	**	**	545	**	**
Total Battery	**	**	945	**	**
Approved Gas	**	**	1600	**	**
Pending Gas	**	**	2100	**	**
Total Gas	**	**	3700	**	**
Approved Total	**	**	2900	**	**
Pending Total	**	**	3045	**	**
Total	**	**	5945	+78.69%	+54%
Rush Island Retirement	**	**	-1241		
Venice Retirement	**	**	-487		
Total w/ Retirements	\$ 14,641,497,716	\$ 12,902,000,000	4217		

Current Rate Base = \$16,684,497,716

Q. What should the Commission note from this table?

A. Although not a perfect one-for-one comparison as each planned generation has unique conditions that can influence costs, this table nevertheless provides a reasonable approximation of the cost increases experienced in this sector in a couple of years. The fact that expenditures have increased by approximately 79% in just a couple of years is disturbing. Moreover, I believe this cost estimate is likely understated given rising inflationary trends (partially driven by data centers¹⁵) since those estimates were made, new

¹⁵ Rugaber, C. (2026) Massive data center buildout poses latest inflation threat for consumers. *PBS Newshour*.
<https://www.pbs.org/newshour/economy/massive-data-center-buildout-poses-latest-inflation-threat-for-consumers>

tariff provisions,¹⁶ uncertainty surrounding tax credits,¹⁷ and a categorical increase of concerned customer and citizen sentiment around the siting as well as the direct and indirect costs of these projects.

Q. How did Ameren Missouri characterize risk in this docket?

A. Ameren Missouri cited the delay in approving these projects as the biggest risk to ratepayers. According to Ameren Missouri witness Matt Michels states:

The most significant risk may be the inability to serve the kinds of LLCs that are seeking to locate in the Company's service territory. As I mentioned earlier in my Direct Testimony and as Mr. Dixon discusses in his testimony, the Company is seeing significant interest from data centers and hyper-scalers beyond those for which 3.4 GW of construction agreements and 2.8 GW of ESAs have been executed. The Solar Projects, along with other planned energy resource additions, will continue to position the Company and the state of Missouri favorably with respect to attracting and serving LLCs and realizing significant economic development benefits that result.

Other significant risks are those that may affect the ongoing operation and economic viability of Ameren Missouri's coal-fired fleet, including significant changes in energy policy, either through legislation or regulation.¹⁸

Q. What is your response?

A. My first reaction is that the Company's risk appetite has changed a lot since the Noranda case.

¹⁶ Bade, G. (2026) Trump to Impose 15% Tariff, Set Minimum Prices on Solar Panels and Components. *The Wall Street Journal*. <https://www.wsj.com/economy/trade/trump-to-impose-15-tariff-set-minimum-prices-on-solar-panels-and-components-dd7cd9d9>

¹⁷ Marshall, C. (2026) 5 questions answered as solar tax credits phase out. *E&E News by Politico*. <https://www.eenews.net/articles/5-questions-answered-as-solar-tax-credits-phase-out/>

¹⁸ EA-2026-0183 Direct Testimony of Matt Michels p. 36, 11-18 & p. 37, 1-5.

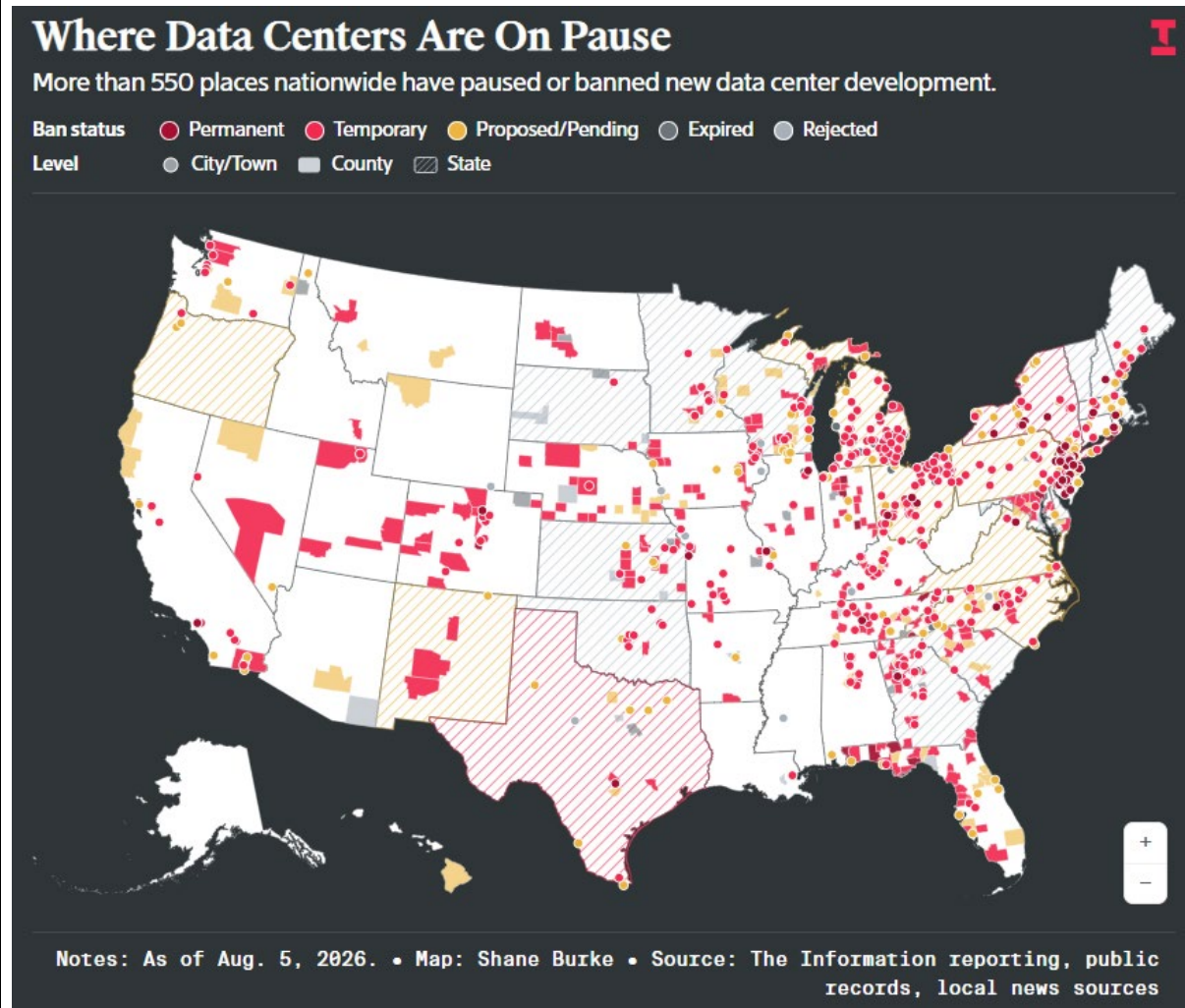
1 My next reaction is that it may very well be true that data centers want and need power now,
2 but it is also true that the power costs have risen dramatically and the overall competitive
3 landscape for these data centers has shifted dramatically and quickly. Moratoriums
4 announced in the state of New York¹⁹ and Texas,²⁰ two states largely on different sides of
5 the political aisle, have both effectively paused new data center development. At least 13
6 other state legislatures have introduced or debated formal state-level moratorium bills.²¹
7 This is in addition to the increased moratoriums being put in place at the local level. Today,
8 there are more than 550 places nationwide that have paused or banned new data center
9 development. This can be seen in Figure 4 where the highest number of bans are in the
10 Midwest and South where more than 400 of the nation's active restrictions and nearly three-
11 quarters (150) of the moratoriums were adopted in last month alone in July.

¹⁹ Hochul, K. (2026) First Statewide Moratorium on New Hyperscale Data Centers Launched by Governor Kathy Hochul. Office of the Governor of New York. <https://www.governor.ny.gov/news/first-statewide-moratorium-new-hyperscale-data-centers-launched-governor-kathy-hochul>

²⁰ Abbot, G. (2026) Governor Abbott Directs Comprehensive Data Center Audit: Audit Must Be Completed Before Any Data Center Project Moves Forward. Office of the Governor of Texas. <https://gov.texas.gov/news/post/governor-abbott-directs-comprehensive-data-center-audit>

²¹ Scott, M. (2026) Updates on the Cloud: More Moratoriums on Data Centers. Rockefeller Institute of Government. <https://www.rockinst.org/blog/updates-on-the-cloud-more-moratoriums-on-data-centers/>

Figure 4: Where the More Than 550 Data Centers Are on Pause²²



According to *The Information*, other states have also pulled back on tax incentives for developers. In the last month, Massachusetts and Nebraska joined other states (Washington, Illinois, Arizona, Ohio, and Maine) in walking back tax incentives for data centers to build in their states.²³

²² Burke, S. (2026) Data Center Bans Top 500 as New York, Texas Join Pushback. *The Information*.

<https://www.theinformation.com/articles/data-center-bans-top-500-new-york-texas-join-pushback?rc=yva6jq>

²³ Vaughn, A.D. (2026) Exclusive: Data Center Costs Set to Rise as U.S. States Move to Repeal Tax Breaks. *The Information*. <https://www.theinformation.com/newsletters/ai-infrastructure/exclusive-data-center-costs-set-rise-u-s-states-move-repeal-tax-breaks?rc=yva6jq>

1 My third reaction is that it is highly unlikely that the Trump administration will enact further
2 Clean Air Act enforcement. Recent announcements from the United States Environmental
3 Protection Agency (“US EPA”) that allow for exemption from pollution limits seeking to
4 prevent acid rain if it comes from power that supports data centers would seemingly support
5 that assumption.²⁴

6 Above and beyond the immediate and seemingly consistent rate increases that exceed
7 inflation that Ameren Missouri customers can expect, there are legitimate concerns around
8 stranded assets and overbuilding for a wildly unpopular industry that is seemingly bleeding
9 money.²⁵

10 **Q. Can you provide some evidence as to what you mean?**

11 A. Sure. Previous testimony I have filed over the past year has documented my concerns around
12 the design of the large load tariff and the risk to ratepayers. Those concerns have only grown
13 over time. This can be illustrated by two recent findings. The first, is from Reuters earlier
14 this month:

15 Microsoft Corp (MSFT.O), Meta Platforms Inc (META.O), Oracle Corp (ORCL.N),
16 Amazon (AMZN.O), and Alphabet (GOOGL.O), have committed about \$1.09
17 trillion in future payments under leases that have not yet begun, mostly for data
18 centres needed to power the artificial intelligence boom.

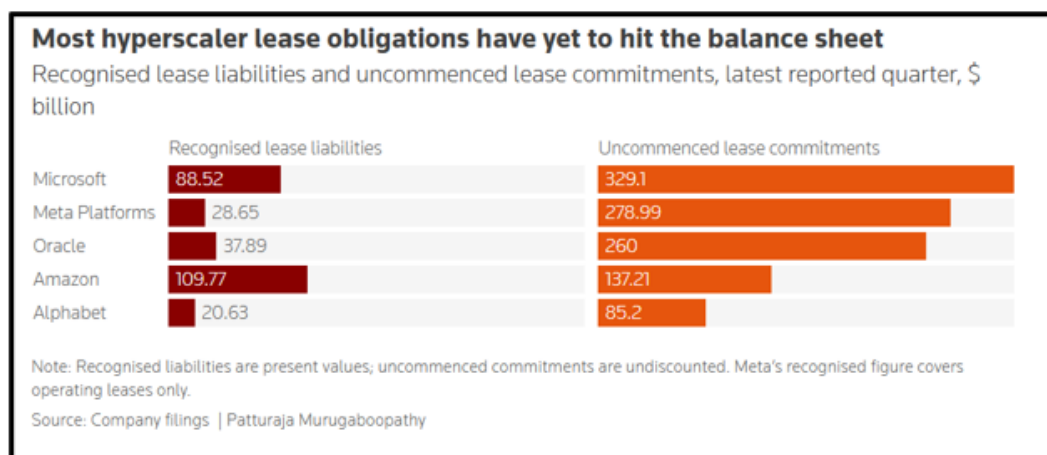
19 The commitments show that a substantial part of Big Tech's AI spending spree has
20 already been locked in, without yet appearing as debt-like lease liabilities on
21 company balance sheets.

²⁴ Frazin, R. (2026) EPA exempts data center power plants from pollution limits seeking to prevent acid rain. *The Hill*. <https://thehill.com/policy/energy-environment/5992657-epa-data-center-power-plants-acid-rain/>

²⁵ At least 37 arrests have been made from protests related to data centers in the first half of 2026 alone. See also: Wilkins, J. (2026) The Number of Regular People Being Arrested for Protesting Data Centers Is Astounding. *Futurism*. <https://futurism.com/artificial-intelligence/regular-people-data-center-arrest-protest>

If demand for AI computing continues to surge, the facilities will underpin the next phase of cloud growth. If it does not, the companies could be left paying for vast amounts of costly, long-lived capacity that is difficult to shed.

The total is nearly four times the roughly \$285 billion of lease liabilities already recognized on the companies' balance sheets, according to company filings compiled by Reuters. (emphasis added)²⁶

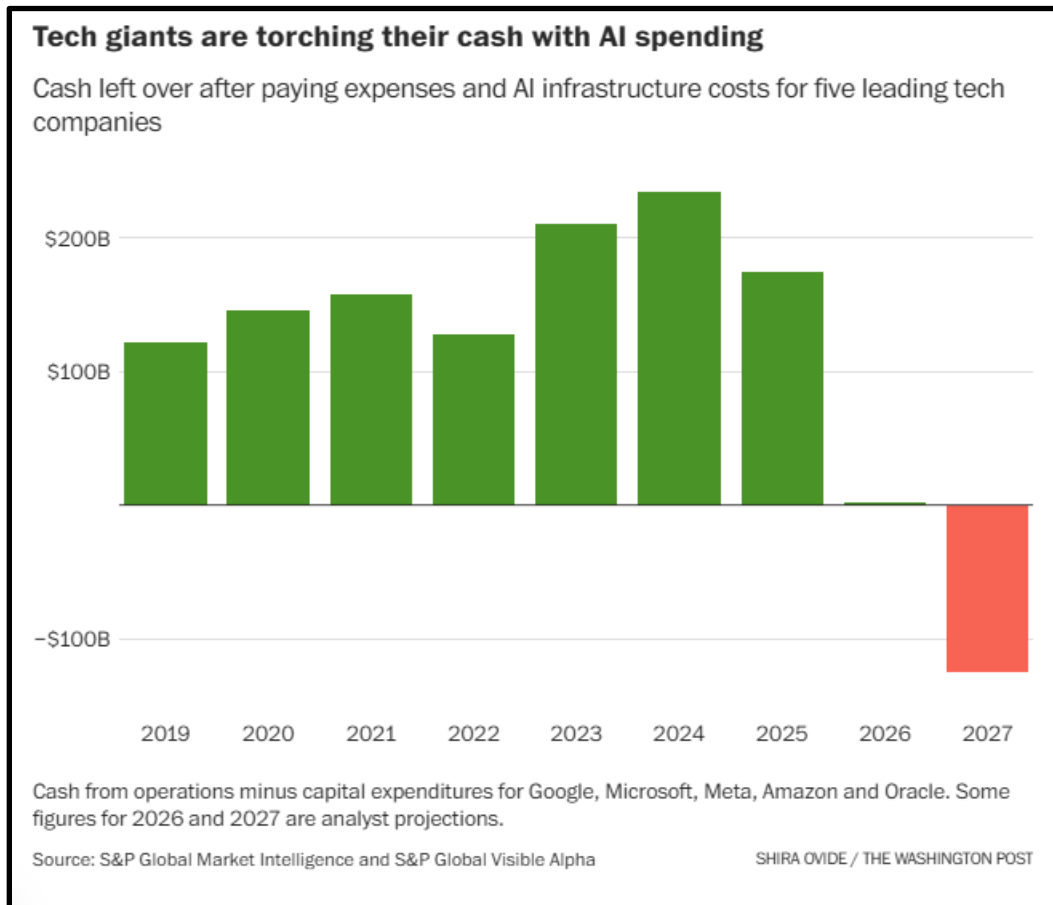


The massive off-balance sheet commitments for AI data centers is dangerously problematic as AI chips and compute infrastructure can become commercially obsolete in just 3 to 4 product cycles—suggesting that this liability will likely increase absent a massive market correction or historically unprecedented economic growth in a record amount of time under severely constrained global pressures.

To further emphasize this point, on August 3rd, the Washington Post reported that five leading AI companies—Amazon, Google, Microsoft, Meta, and Oracle are spending so much on data centers that they're expected free cash flow will effectively be nothing for 2026 and decline to more than \$125 billion in 2027 as seen in Figure 5.

²⁶ Murugaboopathy, P. (2026) AI data-centre race builds \$1 trillion lease burden for Big Tech. Reuters. <https://www.reuters.com/business/retail-consumer/ai-data-centre-race-builds-1-trillion-lease-burden-big-tech-2026-08-04/>

Figure 5: Big Tech Firms move to negative cash flow due to spending outstripping revenue²⁷



Q. Have you seen any regulatory proceedings that support your fears?

A. Yes. Oracle filed a lawsuit in June 2026 against the Public Service Commission of Wisconsin (PSC) in Ozaukee County Circuit Court. The tech giant is challenging strict financial security and credit rating rules (requiring an A- rating or massive cash/letter of credit collateral) approved for very large energy users, which could cost Oracle over \$100

²⁷ Ovide, S. (2026) One chart shows the incredible reversal at American tech companies. *The Washington Post*. <https://www.washingtonpost.com/technology/2026/08/03/one-chart-shows-incredible-reversal-american-tech-companies/>

1 million annually for its \$15 billion data center project in Port Washington.²⁸ This lawsuit
2 followed the credit downgrade of Oracle to one level above junk status. Following a peak
3 market cap of \$900 billion in September, Oracle has seen its stock fall by about 60% of its
4 value in less than a year.²⁹

5 For all of these reasons and more, when Ameren requests to recover the costs of these
6 investments in rates, I implore the Commission to protect other customer classes from
7 paying higher rates due to unneeded (but for the data centers) investments; either through
8 direct allocation of project costs to the data center customers that need this additional
9 generation, or through cost disallowances if there are no large load customers to serve.

10 **Q. Could Ameren Missouri survive a large cost disallowance like that?**

11 A. The best frame of reference would be the Callaway nuclear cost disallowance. Per the Missouri
12 Public Service Commission's Annual Report from 1984-1985:

13 On March 29, 1985, the Missouri Public Service Commission issued its decision in the
14 Union Electric rate increase request case involving the company's Callaway nuclear
15 power plant facility. The Commission excluded approximately \$384 million from
16 Union Electric's rate base due to mismanagement and cost overruns at the Callaway
17 nuclear power plant facility.

18 The Commission found that Union Electric had justified a rate increase of
19 approximately \$455 million, or 45 percent for Callaway related costs. . . . Disallowing
20 approximately \$384 million from Union Electric Company's rate base due to
21 mismanagement and cost overruns at the Callaway nuclear power plant, the
22 Commission determined those Callaway-related expenditures should not be recovered

²⁸ Kiefer, P. (2026) Oracle sues Wisconsin regulators as it seeks relief from data center credit requirements. *Wisconsin Watch*. <https://wisconsinwatch.org/2026/06/oracle-sues-wisconsin-regulators-data-center-credit-requirements-public-service-commission/>

²⁹ Novet, J. (2026) Oracle stock has worst week since 2001 dot-com bust as AI financing concerns escalate. *CNBC*. <https://www.cnbc.com/2026/06/26/oracle-stock-ends-worst-week-since-2001-as-investors-dwell-on-finances.html>

1 from ratepayers "...since they represent inefficient, imprudent, unreasonable or
2 unexplained costs".³⁰

3 The inflation-adjusted equivalent of the Callaway cost disallowance comes to roughly \$1.24
4 billion today. The MO PSC also permitted a phased-in rate increase of approximately
5 \$455m, which is the equivalent of \$1.41 billion today.

6 As large as those costs are, I'll make the observation that they are significantly lower than
7 what is being contemplated. I can also assure you that no one wants any part of that
8 existential fallout. Let load pay for load as the law intends.

9 **IV. AGRIVOLATICS**

10 **Solar Grazing**

11 **Q. What is agrivoltaics?**

12 A. Agrivoltaics, also referred to as dual-use solar, and low-impact solar, is the idea of using land
13 for both solar energy production and agricultural production simultaneously. This could look
14 like solar grazing, where livestock can graze the grass underneath and around solar panels that
15 are installed above the grass, or planting and harvesting crops underneath and around solar
16 panels. Researchers are also investigating how planting pollinator gardens with solar panels
17 could increase vulnerable pollinator populations over time.

18 **Q. Has there been any recent legislation enacted around this concept?**

19 A. Yes. Governor Abigail Spanberger of Virginia recently signed SB340 which defines
20 agrivoltaics as:

21 The intentional co-location of agricultural production and solar energy generation on
22 the same land that:

³⁰ See GM-3 p. 27-28.

1. Is designed to prioritize and sustain agricultural productivity while simultaneously integrating renewable energy generation.
2. Allows the ongoing production and sale of marketable agricultural products throughout the solar array's life.
3. Is a part of a farm business that is consistent with commercial agricultural production.
4. Has provisions for decommissioning to protect the land's agricultural resources and productivity.
5. Does not significantly displace farming activity.
6. Ensures flexibility for farmers to adapt to market conditions and support operational needs.”³¹

Q. Why is this important?

A. According to a 2022 USDA Census of Agriculture, the United States lost 20.1 million acres of farmland between 2017 and 2022. This total reduction in operating farm acreage across the country equals an area roughly the size of the state of Maine (approximately 20.7 million total land acres).³² In total, the U.S. lost about 141,000 farms numerically between 2017 and 2022—this included 7,433 farms in Missouri.³³

The importance of farming to Missouri's economy and the nation's long-term sustainability in the face of growing global trade uncertainty underscores that protective measures should be put in place to minimize the long-term impact on our finite natural resources.

Q. What is solar grazing?

A. Per the 2024 Ameren Missouri Feasibility Analysis Report on Agrivoltaics/Livestock Grazing:

³¹ Virginia Acts of Assembly-2026, Chapter 157: <https://lis.blob.core.windows.net/files/1216821.PDF>

³² United States Department of Agriculture (2026) Census of Agriculture. <https://www.nass.usda.gov/AgCensus/>

³³ Munch. D. (2024) Over 140,000 Farms Lost in 5 Years. Farm Bureau. <https://www.fb.org/intel/markets/over-140-000-farms-lost-in-5-years>

1 Solar grazing is a type of agrivoltaics that incorporates livestock and solar energy
2 generation and is one of the few agrivoltaics practices that is being successfully
3 employed at the utility-scale (> 5 MW) in the United States (EPRI 2024). When site
4 characteristics allow, solar grazing can be implemented as an alternate vegetation
5 management strategy over traditional options such as mowing and herbicide
6 application and has been reported to reduce operations and maintenance (O&M) costs.

7 In addition to potential O&M savings, use of livestock grazing in place of mowing to
8 manage vegetation at solar sites can provide supportive ecosystem services such as
9 habitat for pollinators and other wildlife, increased soil health and carbon sequestration,
10 and improved fire suppression (Kochendoerfer and Thonney 2021, Towner et al. 2022,
11 ASGA 2024b, EPRI 2024).

12 Grazing is considered more beneficial for pollinators and other wildlife than mowing
13 because plants can “rebound faster than they would following a mowing event,” and
14 depending on the mowing regime, rotational management of pastures may allow for
15 more gradual or staggered bloom periods (ASGA 2024b). Employing livestock for
16 vegetation management may be of particular benefit at sites that present challenges for
17 mowing, such as those with rocky terrain or in areas of high rainfall (Gerke 2024, EPRI
18 2024).

19 Additionally, use of livestock grazing may reduce or eliminate damage to panels and
20 other site equipment, such as collisions and rocks/debris kicked up during mowing
21 (Grasby et al. 2021, McCall et al. 2023). Beyond these benefits, solar grazing has the
22 potential to improve community support for solar projects, in turn facilitating
23 successful project deployment (EPRI 2023, EPRI 2024, SETO n.d., Guarino and
24 Swanson 2022). For instance, an 800 MW solar project in Ohio that had been met with

1 local opposition received approval partly due to its incorporation of agrivoltaics,
2 including 1,000 sheep (Gilbert 2024).³⁴

3 **Q. What is your recommendation?**

4 A. For all of the reasons mentioned above, as well as the possibility of goodwill in marketing
5 future solar expansion in Missouri, I recommend that the Company investigate the feasibility
6 of introducing solar grazing as an O&M feature at each of the sites applicable to this
7 application. To be clear, there is nothing binding in this recommendation. If this feature is not
8 economically or operationally feasible, I withdraw my recommendation. I am merely looking
9 for a good faith effort on the part of the Company.

10 I also recommend that Ameren Missouri engage the Missouri Department of Conservation
11 regarding site selection and agrivoltaics feasibility which will include at least one meeting with
12 relevant specialists from the Department of Conservation, OPC, and Staff.

13 **SolSource Database**

14 **Q. What other conditions do you suggest?**

15 A. I recommend that Ameren Missouri commit to sharing land-use and conservation impact data
16 with the non-profit Renewable Energy Wildlife Institute's ("REWI") SolSource Database for
17 the duration of its operations.

18 **Q. What is the SolSource Database?**

19 A. The SolSource Database seeks to answer the question: How can solar facilities support healthy
20 ecosystems? That has proven to be a challenging question to answer as most site-specific
21 information regarding these questions are confidential; thus any "lessons learned" are often not
22 shared and mistakes continue to occur.

23 The SolSource Database intends to function as a one-stop-shop community resource of solar-
24 datasets that will enable its users (developers, utilities, researchers, regulatory agencies, etc...)

³⁴ See also GM-4.

1 to learn and build on solutions to that question. Importantly, the process is both confidential
2 where necessary and protects against sharing sensitive information

3 **Q. What are some examples of data that would be shared?**

4 A. Existing data templates include common types of standardized wildlife surveys conducted pre-
5 and post-construction such as:

- 6 • Avian point counts
- 7 • Transect surveys for vegetation
- 8 • Transect surveys for pollinators & insects
- 9 • Transect surveys for herpetiles
- 10 • Artificial cover searches for herpetiles
- 11 • Camera trapping for wildlife detections, both traditional and Adapted-Hunt Drift
- 12 Fence Technique
- 13 • Passive acoustic surveys for birds, bats, frogs, etc

14 Additional data templates in development include:

- 15 • Animal movement or location data, i.e., VHF³⁵ or GPS³⁶ collars
- 16 • Preconstruction surveys for presence of sensitive species habitat
- 17 • Site preparation data
 - 18 ○ Habitat maps
 - 19 ○ Soil preparation data (grading and vegetation removal)
- 20 • Operation and Maintenance data
 - 21 ○ Vegetation establishment plans
- 22 • Site Characteristics
 - 23 ○ Prior land use

³⁵ VHF = Very High Frequency

³⁶ GPS = Global Positioning System

- Any mitigation actions taken including but not limited to permeable fences, habitat set-asides, habitat creation, establishment of wildlife movement passages

Q. Why are you advocating for this feature?

A. All forms of electricity generation have an impact on our air, water, and land, but the impacts can vary. Being good stewards of our land and resources should be at the forefront of any planned investment because we have seen what happens when it's not. Ameren Missouri's High Prairie Wind Farm and its excessive "taking" (i.e., killing) of endangered and protected species which resulted in forced curtailments and millions of dollars in lost revenue should serve as an example of what should never occur again in Missouri (or anywhere else).

But the lessons to be gleaned from the High Prairie Wind Farm will largely be lost on the industry as a whole because data is rarely, if ever shared. Admittedly, my example is based on a wind farm, but I believe the same rationale exists for solar farms. According to REWI, the SolSource Database was designed to solve that problem for the Solar Industry. The SolSource Database would help provide:

A clear understanding of the risks and benefits of solar energy to natural resources is needed to ensure the process of siting and permitting solar energy projects minimizes impacts/maximizes benefits. Collaboration through data-sharing will rapidly increase our understand[ing] of solar-natural resources challenges and opportunities. Rather than starting the environmental review of each new solar project from a place of complete uncertainty, we can pool information from numerous solar projects across regions for review and synthesis.³⁷

The probability of successful siting and continued operations of solar generation projects with large geographic footprints (e.g., a 100MW solar farm requires between 400 to 500 acres to operate) should increase over time based on the lessons learned from past projects. But that

³⁷ REWI (2025) SolSource Database. <https://rewi.org/about-us/our-work/solsource/>

will only be true if that information is shared and consolidated. The SolSource Database would serve as a valuable clearinghouse for that data.

Q. Do you have any conditions/recommendations to make?

A. Yes. I recommend that Ameren Missouri incorporate and solicit feedback on both the solar grazing and SolSource Data sharing from the U.S. Fish and Wildlife Service and the Missouri Department of Conservation. Finally, I also recommend that the Company meet with the OPC and Staff annually for the next three years to provide updates on the Company's experience and participation with the SolSource Database, and, if executed, updates on the effectiveness in implementing solar grazing operations.

V. BESS FIRE SUPPRESSION AND INCIDENT RESPONSE PLANS

Q. Do BESS units pose unique emergency planning challenges?

A. Yes, utility-scale batteries pose unique emergency planning challenges due to thermal runaway risks, toxic/flammable gas release (like hydrogen cyanide), difficult-to-extinguish fires that can reignite, and hazardous runoff, requiring specialized training, and specific tactics like "controlled burns" to manage environmental and health hazards effectively, differing greatly from traditional fires.

Q. Have there been any high profile examples that come to mind?

A. Yes, a major fire erupted at Vistra's Moss Landing battery energy storage facility (the world's largest battery facility) in California on January 16, 2025, damaging about 55% of its 100,000 lithium-ion batteries, causing mass evacuation due to the release of toxic smoke from heavy metals, leading to health concerns, lawsuits, and triggering significant environmental cleanup efforts overseen by the EPA.³⁸

The fire at Moss Landing and its fallout holds lessons for stakeholders in this docket to plan accordingly with local communities and first responders. Ensuring proper BESS

³⁸ US EPA (2025) Moss Landing Vistra Battery Fire Response. <https://www.epa.gov/ca/moss-landing-vistra-battery-fire>

1 containment and monitoring and meeting and planning incident response plans with local
2 fire officials before new facilities open is imperative.

3 **Q. What about individual projects?**

4 A. On May 15, 2024 a 250MW BESS in Otay Mesa, California erupted into “thermal runaway”
5 fire that resulted in a multi-week firefighting effort as well as ongoing cleanup operations
6 that extended into this year.

7 In response to the Otay Mesa fire, the local fire department employed a range of advanced
8 technologies to manage the situation. Firefighters used drones and unmanned robots to
9 monitor the fire, measure air quality, and take temperature readings from a safe distance.
10 This approach allowed them to manage the fire effectively while minimizing exposure to
11 toxic fumes and potential explosions.³⁹

12 The fire department also set up inflatable pools for decontamination and used a sprinkler
13 system to douse the batteries with water continuously. These measures were crucial in
14 preventing further escalation and protecting the health and safety of the responders.⁴⁰

15 **Q. Are you concerned about a similar incident occurring with these projects?**

16 A. I am. My concern here is that our utilities have little experience with large-scale storage
17 systems and we have every reason to believe that as the costs start to drop for batteries we
18 will see more of these units deployed. With that in mind, I believe it is incumbent for
19 Ameren Missouri to articulate the mitigation efforts it plans to undertake with the
20 Commission.

21 **Q. What is your recommendation?**

22 A. If the BESS feature of this application is approved by the Commission, I recommend that
23 Ameren Missouri be required to meet with OPC and Staff at least once to discuss the

³⁹ Winkley, L. & Nikolewski, R. (2024) Fire flares up again at battery storage facility in Otay Mesa. The San Diego Union-Tribune. <https://www.sandiegouniontribune.com/2024/05/17/fire-flares-up-again-at-battery-storage-facility-in-otay-mesa/>

⁴⁰ *Ibid.*

mitigation efforts it plans to make along with a filed report within 90 days of the operation of law date that provides details on the battery system's fire suppression features and incident response plans with first responders.

Additionally, I recommend that Ameren Missouri make this information publicly available on its website in the form of an FAQ within 90 days of any Commission approval that provides an explanation of all fire suppression mitigation measures/actions the Company is utilizing for its BESS systems. I also recommend that the Company be required to meet with Staff and OPC for input before the information is posted.

VI. LOCAL PUBLIC HEARINGS & CUSTOMER COMMENTS

Q. Were there local public hearings held in this proceeding?

A. Yes, local public hearings occurred in Eolia, Vandalia, and Advance, Missouri. There was also one virtual hearing. Additionally, as of August 5th, 2026 there have been 85 public comments filed in EFIS and a new public hearing has been designated for Moscow Mills, Missouri on August 26.

Q. Did you attend any of those hearings?

A. No; although I did not personally attend, I did review the archived video footage of four local public hearings and have reviewed the comments filed in EFIS. I have also fielded phone calls from concerned citizens regarding the project(s).

Q. How would you characterize those hearings and interactions with the public?

A. On the one hand, I heard both supporters and detractors for the various projects, and I heard many of the same concerns and questions I've heard in other CCN applications.

On the other hand, there were four consistent themes that I had not heard before (or at least not as pronounced).

Q. What was the first theme you heard from these local public hearings?

A. Concerns about the batteries catching fire.

Q. Do you share those concerns?

A. Not nearly as much as I did before I met with Ameren Missouri and they provided details around the fire mitigation efforts being put into place at the Big Hollow site.

Q. Then do you have any recommendations regarding this concern?

A. My recommendations related to the BESS investments have already been articulated. I have no further recommendations on this topic. I merely bring it up to emphasize that this is a growing concern from the public. The battery energy storage firm, Carina Energy identified more than 50 municipalities that have banned or placed a moratorium on BESS units that span 10 U.S. States.⁴¹

Q. What was the second theme you heard from these local public hearings?

A. The lack of project details from Ameren Missouri. Most notably, the absence of maps identifying exactly where the proposed battery, switchyard, solar farm and/or additional transmission and distribution (“T&D”) were going to be located (or potentially located). Additionally, complaints were leveled at Ameren Missouri regarding inadequate public notice. This was most acutely apparent in Eolia, Missouri, where the impacted community largely consisted of non-Ameren Missouri customers who did not receive notice.

Q. Should Ameren Missouri be mailing non-Ameren Missouri customers about local public hearings?

A. I believe Ameren Missouri should be providing mail notice (and other general outreach) to the impacted community in which the CCN is to occur regardless of whether or not they are Ameren Missouri customers.

Q. Won’t that cost more money?

A. The dollars allocated for direct mailers pale in comparison to the loss of public trust if the impacted community feels it is being taken advantage of. The public should not be left in

⁴¹ Ormsbee, M. (2026) What is a BESS and why are so many towns banning them? *NBC*.
<https://www.mynbc5.com/article/bess-energy-storage-bans-moratoriums/71478499>

the dark and their feedback is critical, especially given the current rhetoric around utility oversight and fears over data centers.^{42, 43, 44}

Q. What is your recommendation?

A. I suggest that Ameren Missouri provide detailed maps and public notice mailers to impacted communities, regardless of whether or not the individuals are Ameren Missouri customers. These items are not cost-prohibitive and are keeping with the public interest.

Q. What was the third theme you heard from these local public hearings?

A. That approval of this individual (Millcreek, Huck Finn, etc...) project would likely lead to more projects in succession and, again, that this could enable the location of future data centers.

Q. Is there any truth to that?

A. I cannot speak to whether or not there is interest in locating a data center near any of these sites, but I do agree with the observation that development of one project will greatly increase the probability of a second (or third, etc...) project materializing. Although little comfort for those directly impacted, there can be sound cost-saving reasons why this happens—for example, siting these projects near existing transmission lines.

At the same time, I can appreciate the concerns surrounding a billion-dollar utility capital expenditure (“CAPEX”) investment being proposed in a remote rural area when Big Tech firms are investing trillions to support current and future data centers that will presumably have to be located somewhere.

As Aaron Dorr of Eolia, Missouri stated:

⁴² Martucci, B. (2026) 76% of Americans want stronger utility oversight. *UtilityDive*.

<https://www.utilitydive.com/news/76-of-americans-want-stronger-utility-oversight/820868/>

⁴³ Long, K. & J. Blaeser (2026) A growing political reckoning is coming for data centers, POLITICO Poll shows. *POLITICO*. <https://www.politico.com/news/2026/07/21/poll-data-centers-democrats-moratorium-01001799>

⁴⁴ Elinson, Z. (2026) How Amazon Built a Data Center in a California Town Without Anyone Noticing. *The Wall Street Journal*. https://www.wsj.com/us-news/how-amazon-built-a-data-center-in-a-california-town-without-anyone-noticing-8610bb67?mod=hp_lead_pos10

1 And lastly, it's just going to continue to destroy the quality of life in our entire region
2 because as Ameren already said, data centers are coming. This entire thing and the
3 way it sounds to us in the cheap seats is more or less designed to facilitate the actual
4 data center. They need the batteries, they need the transmission lines, they need the
5 increased storage to make that possible. It all, it seems very obvious to all of us
6 behind me what's going to happen, and we don't want that here. We don't want that
7 in our backyard.⁴⁵

8 **Q. What is your recommendation?**

9 A. The messaging and education have to improve, as outreach should be—early, often, and
10 transparent. Detailed maps, proper notice, and yes, probably discussion about what future
11 investment would look like.

12 **Q. What was the fourth theme you heard from these local public hearings?**

13 A. Testimony from the public that Ameren Missouri is paying well above market rate for
14 property. Again, citing Mr. Dorr from Eolia, Missouri:

15 And finally, this is not a free market decision, just to be clear either. I'm all about
16 free markets, but when Ameren takes money that we have to pay them from our
17 monthly utility bill, and it goes out there and bids 2x for property values, and they
18 wouldn't admit that. I'll just be clear. But, I got neighbors. I got a bunch of
19 neighbors. They've all been approached by Ameren. \$23,000, \$24,000, \$25,000 an
20 acre for land that usually is in the 12 to \$14,000 an acre range. That's not free market.
21 No one here can compete with that. This just destroys the idea of family farms.
22 Destroys the quality of life we have. And for those reasons and many others, I urge
23 you to vote this thing down. Thank you.⁴⁶

24

⁴⁵ Missouri Public Service Commission (2026) Local Public Hearing for Ameren in Eolia. 35:04.
<https://www.youtube.com/watch?v=n-NICqgpOLA&t=2104s>

⁴⁶ *Ibid.*

Q. What is your recommendation?

A. If true, Ameren should cease this practice. As such, and because it was heard at multiple locations, this issue will be investigated in the current rate case.

Q. Should the Commission be aware of anything else?

A. Yes, two things. First, Public Comment P202700347 in Case No. EA-2026-0183 submitted by Mr. Jacob Burns included the following letter:

To the Missouri Public Service Commission,

Please accept the attached memorandum titled "Citizen Questions and Requests for Clarification Regarding the Proposed Ameren Missouri Energy Projects" for inclusion in the record for Case No. EA-2026-0183.

After attending the local public hearing in Eolia on July 28, 2026, and reviewing the application and publicly available filings submitted to date, I prepared the attached memorandum to identify questions and procedural issues that I believe warrant clarification as this case continues to develop.

I recognize that the Commission has received extensive direct testimony from the Applicant and that additional testimony, Staff recommendations, and evidentiary proceedings remain before a final decision is reached. My intent is not to duplicate those filings or advocate for a predetermined outcome. Rather, I hope the attached memorandum assists in identifying issues that are important to affected citizens and encourages the development of as complete an evidentiary record as reasonably possible before the Commission issues its final order.

If any of the questions presented in the attached memorandum have already been addressed within the application, testimony, or supporting exhibits, I would appreciate reference to those portions of the record. Likewise, if certain questions fall outside the Commission's jurisdiction, I would appreciate any guidance

1 regarding the appropriate agency or process through which those matters may be
2 addressed.

3 Thank you for your consideration of this submission and for including it in the record
4 for Case No. EA-2026-0183.

5 Respectfully,

6 Jacob Burns

7 Eolia, MO.

8 I have attached that memorandum he references in its entirety to my testimony as GM-2. I
9 am requesting that Ameren Missouri attempt to best answer Mr. Burns' questions in
10 surrebuttal testimony (possibly as a separate attachment). To the extent possible, I would
11 also recommend that Ameren Missouri attempt to incorporate those questions and answers
12 in future education and outreach efforts with the public and on its website.

13 Second, I want to highlight concerns around traffic and road impacts on rural roads
14 expressed by Eolia residents. Simply put, residents are concerned that deep rutting, severe
15 cracking, base failure, and erosion from heavy truck loads transporting massive components
16 like steel piles, heavy transformers, and multi-ton battery enclosures over rural
17 infrastructure that was not designed to support such traffic. Again, I would recommend that
18 Ameren Missouri provide an explanation in surrebuttal testimony as well in future outreach
19 that addresses this specific concern.

20 **Q. Does this conclude your testimony?**

21 **A. Yes.**

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

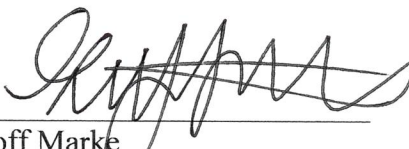
In the Matter of the Application of Union Electric	)	
Company d/b/a Ameren Missouri for Permission	)	
and Approval and Certificates of Public	)	<u>Case No. EA-2026-0183</u>
Convenience and Necessity Authorizing it to	)	
Construct Renewable Generation Facilities and	)	
Battery Energy Storage Systems	)	

AFFIDAVIT OF GEOFF MARKE

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

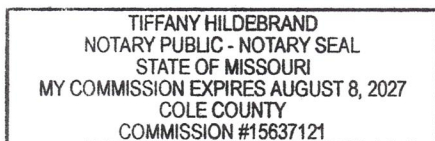
Geoff Marke, of lawful age and being first duly sworn, deposes and states:

1. My name is Geoff Marke. I am a Chief Economist for the Office of the Public Counsel.
2. Attached hereto and made a part hereof for all purposes is my rebuttal testimony.
3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge and belief.

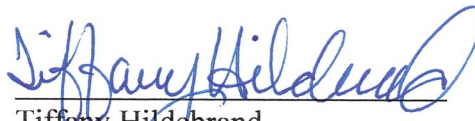


Geoff Marke
Chief Economist

Subscribed and sworn to me this 4th day of August 2026.



My Commission expires August 8, 2027.



Tiffany Hildebrand
Notary Public