

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 13th day of
January, 2016.

In the Matter of the True-Up of Union Electric Company)
d/b/a Ameren Missouri's Fuel Adjustment Clause) **File No. ER-2016-0129**
for the 17th Recovery Period)

ORDER RESOLVING ANNUAL FUEL ADJUSTMENT CLAUSE TRUE-UP

Issue Date: January 13, 2016

Effective Date: January 27, 2016

On November 25, 2015, Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri"), submitted an application containing its 17th true-up filing for its Fuel Adjustment Clause ("FAC"), as required by Section 386.266.4(2), RSMo, and Commission Rules 4 CSR 240-3.161(8) and 4 CSR 240-20.090(5). Ameren Missouri requests that the Commission authorize a true-up adjustment and implement it under its FAC tariff for the recovery period ending September 30, 2015. The submitted tariff bears an effective date of January 27, 2016.

The true-up amount identified in this filing is the result of an under-collection of \$566,101 from customers during Recovery Period 17 ("RP17") that includes the billing months of February 2015 through September 2015. The true-up amounts for RP17 are included in the calculation of the Fuel and Purchased Power Adjustment ("FPA") amount included in Ameren Missouri's Accumulation Period 20 ("AP20") adjustment filing, also filed

on November 25, 2015 in File No. ER-2016-0130, in compliance with Ameren Missouri's FAC.¹

Staff examined the direct testimony of Erik C. Wenberg, the supporting schedules Ameren Missouri provided with its application in this case, and the monthly information Ameren Missouri has submitted to the Commission. Staff also reviewed Ameren Missouri's monthly interest calculations and agrees with them. Staff has verified that Ameren Missouri has filed its 2014 annual report and is not delinquent on any assessment. Ameren Missouri is current on the filing of its Surveillance Monitoring reports as required by 4 CSR 240-20.090(10) and its monthly reports as required by 4 CSR 240-3.161(5). Staff is not aware of any other matter before the Commission that affects or is affected by this filing, except as noted herein. Staff recommends the Commission approve Ameren Missouri's RP17 true-up filing, which indicates Ameren Missouri under-collected \$566,101 from its customers, plus interest of \$730,252 resulting from AP17, for a total adjustment of \$1,296,363, for inclusion in the calculation of the FPA amount included in Ameren Missouri's AP20 adjustment filing in File No. ER-2016-0130.

Neither the governing statute² nor any other law requires a hearing before approving the unopposed application.³ Because this is a non-contested case, the Commission acts

¹ ER-2016-0130 is a companion case that adjusts the Ameren Missouri FAC through revision of an FAC tariff, which includes information approved in this case. Since two parties have objected to the proposed tariff in ER-2016-0130, that case is still pending a final resolution.

² Section 386.266, RSMo Supp. 2013. This section provides for a hearing when the FAC is approved, modified or rejected. It does not require a hearing when annual true-ups are filed by the company. Commission Rule 4 CSR 240-20.090(5) states the Commission may hold a hearing if needed, but one is not required.

³ Section 536.010(4), RSMo Supp. 2013, defines a contested as "a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing." *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

on evidence that is not formally adduced and preserved.⁴ There is no evidentiary record.⁵ Consequently, the Commission bases its decision on the parties' verified filings.

Based on the Commission's independent and impartial review of the verified filings, the Commission finds that it is in the public interest to approve Ameren Missouri's application and authorize Ameren Missouri to include the calculated amounts in its next FAC accumulation period as previously described.

THE COMMISSION ORDERS THAT:

1. The true-up amounts for Recovery Period 17 are established for Union Electric Company d/b/a Ameren Missouri as an under-collection of \$566,101 from its customers, plus interest of \$730,252 resulting from AP17, for a total adjustment of \$1,296,363, and shall be reflected in the rate adjustment as approved in Commission File No. ER-2016-0130.
2. This order shall become effective on January 27, 2016.
3. This file shall close on January 28, 2016.

BY THE COMMISSION



A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney,
Rupp, and Coleman, CC., concur.

Bushmann, Senior Regulatory Law Judge

⁴ *State ex rel. Public Counsel v. Public Service Comm'n*, 210 S.W.3d 344, 353-355 (Mo. App. 2006).

⁵ *Id.*