

Exhibit B



Dustin Allison
Acting Public Counsel

State of Missouri

Jay Nixon
Governor

Office of the Public Counsel
Governor Office Building
200 Madison, Suite 650
PO Box 2230
Jefferson City, Missouri 65102

Telephone: 573-751-4857
Facsimile: 573-751-5562
Web: <http://www.opc.mo.gov>
Relay Missouri
1-800-735-2966 TDD
1-866-922-22959 Voice

October 26, 2015

VIA ELECTRONIC MAIL

Ms. Sarah Giboney
Smith Lewis, LLP
111 South Ninth Street, Suite 200
P.O. Box 918
Columbia, MO 65205
Giboney@smithlewis.com

RE: Case No. EC-2016-0001
Missouri Public Service Commission

Dear Ms. Giboney,

This letter should be considered the Office of the Public Counsel's objection to the identified data requests from Union Electric Company d/b/a Ameren Missouri in Case No. EC-2016-0001.

Ameren Missouri - OPC-001:

Information Requested:

Please identify the exact testimony, data response requests, or other communications, in ER-2014-0258, by which OPC communicated to the Commission or to any party an understanding or belief that, under then-proposed tariff JE-2015-0290, Ameren Missouri's Energy Efficiency Investment Charge tariff (now MO P.S.C. Schedule No. 6, 1st Revised Sheet No. 90.1), Ameren Missouri customers who received LIHEAP Energy Assistance or ECIP funds towards a non-Ameren Missouri utility bill were "low-income" customers exempt from Rider EEIC.

Response:

Public Counsel objects to this data request in that it is unduly burdensome, lacks foundation, seeks information not reasonably calculated to lead to the discovery of admissible evidence, and requests information that is equally available to the requesting party through the Commission's Electronic Filing System and/or is already in the possession of the requesting party.

Ameren Missouri - OPC-002:

Information Requested:

a. Please identify the means or process that OPC believes Ameren Missouri may use to identify customers who are eligible for exemption from Rider EEIC, where the customers are eligible for the exemption based on receipt of LIHEAP Energy Assistance or ECIP funds to pay a non-Ameren Missouri utility bill. Please identify the exact testimony, data response requests, or other communications by which OPC communicated this proposed means or process to the Commission or any party.

b. If OPC proposes that Ameren Missouri accept documentation from customers, such as copies of Missouri Department of Social Services Family Support Division (DSS/FSD) payment notices, please identify the means or process that OPC believes a customer may use to submit such documentation. Please identify the exact testimony, data response requests, or other communications by which OPC communicated this proposed means or process to the Commission or any party.

c. If OPC proposes that Ameren Missouri accept documentation from customers, please identify the means or process that OPC believes Ameren Missouri may use to verify that such documentation is authentic. Please identify the exact testimony, data response requests, or other communications by which OPC communicated this proposed means or process to the Commission or any party.

Response:

a. Public Counsel objects to this data request in that it is argumentative, lacks foundation, calls for speculation, and seeks information not reasonably calculated to lead to the discovery of admissible evidence.

b. Public Counsel objects to this data request in that it is argumentative, lacks foundation, calls for speculation, and seeks information not reasonably calculated to lead to the discovery of admissible evidence.

c. Public Counsel objects to this data request in that it is argumentative, lacks foundation, calls for speculation, and seeks information not reasonably calculated to lead to the discovery of admissible evidence.

Ameren Missouri - OPC-003:

Information Requested:

Please state whether OPC, and if so who, verified through a representative of the Missouri Department of Social Services Family Support Division (DSS/FSD) the authenticity of the Energy Assistance Payment Notice attached as page 2 of Attachment C to OPC's Motion for Summary Determination in EC-2016-0001. If not, why not?

Response:

Public Counsel objects to this data request in that it is argumentative, lacks foundation, and seeks information not reasonably calculated to lead to the discovery of admissible evidence.

Ameren Missouri - OPC-004:

Please identify whether any staff of OPC, and if so who, are knowledgeable about the following:

- a. Missouri Department of Social Services Family Support Division (DSS/FSD) contracts with community action agencies to determine LIHEAP applicants' eligibility and to administer ECIP funds; and
- b. DSS/FSD contracts with home energy suppliers.

Response:

- a. Public Counsel objects to this data request in that it is argumentative, compound, overly broad, lacks foundation, and seeks information not reasonably calculated to lead to the discovery of admissible evidence in this case. Public Counsel further objects to the extent this data request seeks privileged attorney work product.
- b. Public Counsel objects to this DR in that it is argumentative, overly broad, lacks foundation, and seeks information not reasonably calculated to lead to the discovery of admissible evidence in this case. Public Counsel further objects to the extent this data request seeks privileged attorney work product.

Ameren Missouri - OPC-005:

Information Requested:

Please state whether OPC or any person on its behalf has analyzed or estimated the costs Ameren Missouri would incur in verifying whether customers have received LIHEAP Energy Assistance or ECIP funds towards a non-Ameren Missouri utility bill. If yes, please provide a) the estimated cost to Ameren Missouri and potentially other entities necessary to develop and maintain a self-reporting (or other) process for customers to report qualifying exemptions and for

Ameren Missouri to validate and incorporate into its billing process and b) the increase in the MEEIA Rider charge to other non-qualifying customers to recover the costs not paid by qualifying low-income customers who received qualifying payments on non-Ameren Missouri utility bills. If yes, please also provide the analysis or estimation, with all supporting documentation. If yes, please also identify the exact testimony, data response requests, or other communications, if any, by which OPC communicated its analysis or estimations to the Commission or to any party.

Response:

Public Counsel objects to this DR in that it is argumentative, lacks foundation, calls for speculation, and seeks information not reasonably calculated to lead to the discovery of admissible evidence.

Ameren Missouri - OPC-006:

Information Requested:

Please state whether OPC believes Ameren Missouri's estimation, in ER-2014-0258, of costs of implementing a MEEIA low-income exemption included costs a) to Ameren Missouri and potentially other entities necessary to develop and maintain a self-reporting (or other) process for customers to report qualifying exemptions and for Ameren Missouri to validate and incorporate into its billing process and b) the increase in the MEEIA Rider charge to other non-qualifying customers to recover the costs not paid by qualifying low-income customers who received qualifying payments on non-Ameren Missouri utility bills. If so, identify OPC's basis for this belief.

Response:

Public Counsel objects to this data request in that it is argumentative, lacks foundation, calls for speculation, and seeks information not reasonably calculated to lead to the discovery of admissible evidence. Public Counsel further objects to the extent this data request seeks privileged attorney work product.

Ameren Missouri - OPC-007:

Information Requested:

Please state whether Sec. 208.120.1 RSMo permits or prohibits OPC from disclosing to Ameren Missouri upon Ameren Missouri's request information OPC may possess concerning the identify of applicants for or recipients of LIHEAP Energy Assistance, ECIP, or any other public benefit, or the contents of any related records, files, papers or communications. If your response is that OPC is permitted, please state the conditions under which OPC is permitted.

Response:

Public Counsel objects to this data request in that it lacks foundation, is not reasonably calculated to lead to the discovery of admissible information, and calls for a legal conclusion.

A handwritten signature in blue ink that reads "Timothy James Opitz". The signature is written in a cursive style with a large initial 'T' and a stylized 'O'.

Tim Opitz