

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri for a Variance from)
Portions of Its Tariffs Related to Reconnection) File No. EE-2020-0290
and Late Payment Fees.)

In the Matter of Union Electric Company d/b/a)
Ameren Missouri for a Variance from)
Portions of Its Tariffs Related to Reconnection) File No. GE-2020-
and Late Payment Fees.)

AMENDED NOTICE OF CASE FILING AND REQUEST FOR VARIANCES

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "the Company"), and pursuant to 20 CSR 4240-2.060(4) and 20 CSR 4240-4.017, submits this *Amended Notice of Case Filing and Request for Variances ("Amended Notice and Request")*¹ which would relieve the Company from the 60-day notice requirement of 20 CSR 4240-4.017(1)(D), and facilitate the Company's proposal to waive reconnection and late payment fees for customers during the COVID-19 pandemic. In support of its position, Ameren Missouri states as follows:

INTRODUCTION

1. During the COVID-19 pandemic, Ameren Missouri has been working to both maintain reliable service for its customers, and to develop accommodations for its customers who may be facing financial difficulties as a result of lost work and wages, illness, and other virus

¹ Ameren Missouri intended to file requests for waivers of both electric and natural gas late payment fees and reconnection fees. Because of press of business, natural gas was inadvertently omitted from the requested waivers. This *Amended Notice and Request* is intended to rectify that error, and extend the waiver requests to both electric and natural gas services. Ameren Missouri, after the close of business, reached out to Commission Staff and the Office of the Public Counsel ("OPC") to determine whether they would object. OPC indicated that they had no objection to the submission of the amendment. Ameren Missouri was unable to obtain a response from Staff before the filing of this amendment.

impacts. As part of its response, the Company is forgoing the collection of fees related to late payments and reconnections for the duration of the pandemic. Allowing customers these financial accommodations is only part of the actions Ameren Missouri is taking, but is still an important action. However, these fees are provided for by the Company's tariffs; therefore, Ameren Missouri is submitting this *Amended Notice and Request* for permission to waive certain portions of its tariffs until the pandemic is waning.

2. Under 20 CSR 4240-4.017(1)(D), waivers of the 60-day notice may be granted for good cause shown. Good cause includes, among other things, providing a verified statement that no communications have occurred with the office of the commission within the preceding 150 days regarding a substantive issue likely to be in the case. Ameren Missouri meets this requirement. Through this pleading, the Company provides notice that this case involves waivers of tariffed fees, as described above.

3. In support of its position and in compliance with 20 CSR 4240-2.060(1), 20 CSR 4240-2.060(4), and 20 CSR 4240-4.017(1)(D), Ameren Missouri provides the required information in the following sections of this *Amended Notice and Request*:

- I. 20 CSR 4240-2.060(1), (A) through (M)²
- II. Requested Variances

I. 20 CSR 4240-2.060(1), (A) through (M)

Paragraph (A) – Applicant

4. The Company is a Missouri corporation doing business under the fictitious name of Ameren Missouri, organized and existing under the laws of the State of Missouri, in good standing in all respects, with its principal office and place of business located at One Ameren Plaza, 1901

² Those requesting variances pursuant to 20 CSR 4240-2.060(4) must also provide the information required by 20 CSR 4240-2.060(1).

Chouteau Avenue, St. Louis, Missouri 63103. The Company is engaged in providing electric and gas utility services in portions of Missouri as a public utility under the jurisdiction of the Commission. The Company is a subsidiary of Ameren Corporation.

Paragraph (B) – Articles of Incorporation; Paragraph (E) – Fictitious Name; Paragraph (G) – Information Previously Submitted; Paragraph (H) – Character of Business³

5. Ameren Missouri previously submitted to the Commission a certified copy of its Articles of Incorporation (See Case No. EA-87-105), as well as its Fictitious Name Registrations as filed with the Missouri Secretary of State’s Office (See Case Nos. EA-2019-0181). The Company also provided a copy of a recent certified copy of its Certificate of Good Corporate Standing in File No. EF-2020-0224. These documents are incorporated by reference and made a part of this *Amended Notice and Request* for all purposes.

Paragraph I – Correspondence and Communication

6. Correspondence and Communication -- Correspondence, communications, orders and decisions in regard to this *Amended Notice and Request* should be sent to the undersigned counsel as well as:

For the Company:

Tom Byrne
Senior Director, Regulatory Affairs
Ameren Missouri
1901 Chouteau Avenue
PO Box 66149
St. Louis, MO 63166-6149
TByrne@ameren.com

³ Paragraphs (C), (D), and (F) do not apply to Ameren Missouri.

Paragraph (K) – Actions, Judgments, and Decisions; Paragraph (L) – Fees⁴

7. Ameren Missouri has no final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates that have occurred within three years of the date of this *Amended Notice and Request*. By the nature of its business, the Company has, from time-to-time, pending actions in state and federal agencies and courts involving customer service or rates. Company has no annual report or assessment fees overdue to this Commission.

Paragraph (M) – Affidavit

8. Because Ameren Missouri has instituted a policy of asking non-essential employees to work from home for a portion of the pandemic period, the Company is unable to provide at this time an affidavit in support of this *Amended Notice and Request* by an officer of the Company. Once the Company is able to provide a late-filed affidavit, it shall do so. The Company respectfully requests that this requirement be waived until an affidavit can be obtained and provided.

II. Requested Variances

9. 20 CSR 4240-4.017(D) allows a variance from the 60-day notice requirement for good cause shown. 20 CSR 4240-2.060(4)(B) requires a utility to set out, among other things, the good cause for the granting of a variance or waiver. The good cause for each of these requested variances is discussed in more detail below.

A. 60-Day Notice Requirement

10. Ameren Missouri requests a variance from the 60-day notice requirement of 20 CSR 4240-4.017, which states, in relevant part:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case...

⁴ Paragraph (J) does not apply to Ameren Missouri.

Pursuant to 20 CSR 4240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. Ameren Missouri has conducted discussions with certain members of the office of the Commission regarding its plans on behalf of its customers within the 150-day window allowed by the regulation. Those discussions were part of a more overarching disclosure of operational and customer-focused actions Ameren Missouri has undertake in light of the COVID-19 pandemic. Those discussions were conducted during a conference call on March 16, 2020, with Chairman Silvey and Commissioner Coleman, as well as their advisors. These discussions were not intended to persuade the Commission or influence their decisions regarding this variance request in any way. Rather, these discussions were undertaken strictly to assure the regulators that Ameren Missouri was taking appropriate and thoughtful actions during the pandemic that included, among other things, customer-focused relief efforts. Because Ameren Missouri could not know 60 days ago that the pandemic would be causing the difficulties it is now seeing, it could not have submitted the notice required by Commission regulation. The COVID-19 pandemic, and communications necessary for the prioritization of operational and customer-focused actions of the Company, clearly qualify as "good cause shown" under the regulation, and waiver of the 60-day requirement should be allowed given the extenuating circumstances. No other public utility will be affected by granting the Company a waiver from this requirement.

B. Waiver of Required Fees

11. Ameren Missouri requests waivers from its tariffs related to the collection of reconnection and late payment fees to help assuage the financial hardships felt by its customers during the COVID-19 pandemic. Specifically, Ameren Missouri requests waivers from the following tariff provisions:

Electric Tariffs:

General Rules and Regulations, Section V. Billing Practices, J. Late Payment Charge
Tariff Sheet No. 136

Any portion of any bill, other than deposit arrears, remaining unpaid after the delinquent date indicated thereon will have a late payment charge of 1.5 percent of the gross unpaid amount added and shown on the next bill. Any portion of such "arrears" remaining unpaid after the delinquent date on any subsequent bill will also have a late payment charge of 1.5 percent added thereto....

General Rules and Regulations, Section VII. Disconnection and Reconnection of Service,
I. Reconnection of Service
Tariff Sheet No. 145

... [T]he payment to Company of each of the following items ... shall be conditions precedent to such reconnection ... :

1. The charge for reconnection of service indicated on Sheet No. 63, Miscellaneous Charges, for each connection point....

Natural Gas Tariffs:

General Rules and Regulations, Section VIII. Billing Practices, F. Late Payment Charge
Tariff Sheet No. 58.1

Any portion of any bill, other than deposit arrears, remaining unpaid after the delinquent date indicated thereon will have a late payment charge of 1.5 percent of the gross unpaid amount added thereto, the sum of which will be shown as "arrears" on the next bill. Any portion of such "arrears" remaining unpaid after the delinquent date on any subsequent bill will also have a late payment charge of 1.5 percent added thereto.

General Rules and Regulations, Section XI. Disconnection and Reconnection of Service,
H. Reconnection of Service
Tariff Sheet No. 68

...[T]he payment to Company of each of the following items ... shall be conditions precedent to such reconnection ...

1. The charge for reconnection service indicated on Sheet No. 19, Miscellaneous Charges, for each connection point. The additional charge for reconnection of electric service by the same Company personnel at the same location on the same service trip will be limited to one-half (1/2) of the electric reconnection charge.

The Company asks that these provisions, which require the payment of late payment charges and reconnection fees, be waived for the indefinitely, until the provisions of Paragraph 12 are met, to

ease the financial strains on the customers that reductions in hours worked, job and shift losses, sick leave, and other impacts of COVID-19 may cause.

12. Ameren Missouri will continue to monitor the pandemic and, as it becomes apparent that the outbreak is waning and normal routines may be reinstated, will examine the reinstatement of these fees. Ameren Missouri will provide at least 15 days' notice to affected customers before these fees are reinstated.

13. Good cause is shown for this variance because it will help ease financial constraints the pandemic has caused for Ameren Missouri's customers. Because only Ameren Missouri's customers are impacted by this variance, no other utility should be affected.

WHEREFORE, Ameren Missouri respectfully requests that the Commission grant the requested variance of the relevant portions of its tariffs cited above, as well as the 60-day notice requirement of 20 CSR 4240-4.017.

Respectfully submitted,

/s/ Paula N. Johnson
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ATTORNEY FOR UNION ELECTRIC
COMPANY, d/b/a AMEREN MISSOURI

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the Staff of the Commission and the Office of the Public Counsel on this via electronic mail (e-mail) on this 17th day of March, 2020.

/s/ Paula N. Johnson _____

Paula N. Johnson