

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

In the Matter of Union Electric Company)	
d/b/a Ameren Missouri's Permission and Approval)	
and a Certificate of Public Convenience and)	
Necessity Authorizing it to Construct, Install, Own,)	<u>File No. EA-2014-0136</u>
Operate, Maintain and Otherwise Control and)	
Manage Solar Generation Facilities in O'Fallon,)	
Missouri)	

**OPPOSITION TO NON-UNANIMOUS
STIPULATION AND AGREEMENT**

COMES NOW Earth Island Institute d/b/a Renew Missouri ("Renew Missouri"), by and through the undersigned counsel, and hereby submits this Opposition to the Non-Unanimous Stipulation and Agreement filed by Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri"), the Staff of the Missouri Public Service Commission ("Staff"), and the Missouri Division of Energy. In support of its Opposition to the Non-Unanimous Stipulation and Agreement, Renew Missouri states as follows:

BACKGROUND

1. On January 13, 2014, Ameren Missouri filed its *Application of Union Electric Company d/b/a Ameren Missouri for Certificate of Public Convenience and Necessity*.
2. The Missouri Division of Energy, Renew Missouri, and the Missouri Industrial Energy Consumers ("MIEC") applied for, and were granted, intervention.
3. On February 26, 2014 Renew Missouri proposed a procedural schedule that would allow parties an opportunity to file rebuttal and surrebuttal testimony in response to Ameren Missouri's application for a Certificate of Convenience and Necessity ("CCN"). That schedule also included a date for hearing in the event that parties were not able to reach agreement on whatever issues were identified in parties' testimony. Ameren Missouri, Staff,

Office of the Public Counsel (“OPC”), and the Division of Energy did not object to this proposed procedural schedule.

4. Also on February 26, 2014, Regulatory Law Judge Pridgen issued an order approving the proposed procedural schedule.

5. On March 4, 2014, Ameren Missouri, Staff, and the Division of Energy submitted the Non-Unanimous Stipulation and Agreement at issue, to which OPC and MIEC did not object.

REASONS FOR OBJECTION

6. This case, while only concerning a CCN, is nevertheless the first time the Commission has had the opportunity to approve the construction of a utility-scale solar facility by a Missouri investor-owned utility. Renew Missouri feels it is necessary to ensure that parties are given an opportunity to fully examine Ameren Missouri’s proposed project and offer their testimony to ensure that the Commission has a full record for making a decision.

7. Renew Missouri intends to file rebuttal testimony after its expert has an opportunity to review all materials and identify any cost, design, or other issues regarding the proposed solar facilities.

8. Although no other parties have expressed an interest in filing testimony, Renew Missouri would like other parties to have the opportunity to file surrebuttal testimony in reaction to Renew Missouri’s rebuttal testimony if they later choose to do so. The proposed Non-Unanimous Stipulation and Agreement would bar parties from filing testimony and would prevent parties from requesting that a hearing be held.

9. Renew Missouri appreciates that the Stipulation and Agreement would not preclude parties from bringing prudence challenges in the next rate case. However, Renew

Missouri believes that this earlier opportunity for testimony could serve to avoid potential cost issues in the later rate case.

WHEREFORE, pursuant to 4 CSR 240-2.115(2)(B), Renew Missouri files this timely objection to the Non-Unanimous Stipulation and Agreement filed by Ameren Missouri and on behalf of Staff and the Division of Energy.

Respectfully submitted,

/s/ Andrew J. Linhares

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 6th day of March, 2014 to all counsel of record in this proceeding.

/s/ Andrew J. Linhares