

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 8th day of
April, 2014.

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

**ORDER APPROVING AMENDED
NON-UNANIMOUS STIPULATION AND AGREEMENT**

Issue Date: April 8, 2014

Effective Date: April 18, 2014

On January 13, 2014¹, Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri") applied to the Missouri Public Service Commission for a certificate of convenience and necessity to build solar generation facilities in O'Fallon, Missouri. The Commission received timely intervention requests from: The Missouri Division of Energy ("MDE"), Missouri Industrial Energy Consumers ("MIEC"), and Earth Island Institute d/b/a Renew Missouri ("Renew Missouri"). Ameren replied on February 6, stating that it had no objection to those applicants becoming intervenors. Thus, the Commission granted intervention to those applicants.

On March 4, Ameren Missouri, the Staff of the Commission ("Staff") and MDE filed a Non-Unanimous Stipulation and Agreement ("Stipulation"). The signatories agreed that Ameren Missouri should receive the requested certificate. The Office of the Public Counsel ("OPC") and Missouri Industrial Energy Consumers ("MIEC") did not sign the Stipulation, but did not object to it, and did not request a hearing.

¹ Calendar references are to 2014 unless otherwise noted.

Renew Missouri also did not sign the Stipulation, and requested a hearing. On April 3, however, Ameren Missouri, Renew Missouri, Staff and MDE filed an Amended Non-Unanimous Stipulation and Agreement (“Amended Stipulation”).

The signatories of the Amended Stipulation agree that the Commission should grant Ameren Missouri the requested certificate with certain conditions. Those conditions include Ameren Missouri receiving a Land Disturbance permit from the Missouri Department of Natural Resources, and Ameren Missouri using the depreciation rates and plant account classifications as described in Staff’s rebuttal testimony.

The Commission may grant an electric corporation a certificate of convenience and necessity to operate after determining that the construction and operation are either “necessary or convenient for the public service.”² The Commission has stated five criteria that it will use when considering an application for certificate of convenience and necessity:

- 1) There must be a need for the service;
- 2) The applicant must be qualified to provide the proposed service;
- 3) The applicant must have the financial ability to provide the service;
- 4) The applicant’s proposal must be economically feasible; and
- 5) The service must promote the public interest.³

Due to the Amended Stipulation, this case may be decided without convening a hearing.⁴ Also, the Commission need not separately state its findings of fact or conclusions of law.⁵

Based on the Commission’s impartial and independent review of Ameren Missouri’s Application, Staff’s rebuttal testimony, and the Amended Stipulation, the Commission finds

² Section 393.170, RSMo 2000.

³ *In re Tartan Energy Company*, 3 Mo.P.S.C. 173, 177 (1994).

⁴ Section 536.060 RSMo Cum. Supp. 2012.

⁵ Section 536.090 RSMo Cum Supp. 2010.

that the proposed solar facility is necessary and convenient for the public service. Therefore, the Commission shall grant Ameren Missouri's application, subject to the conditions agreed upon by the parties.

THE COMMISSION ORDERS THAT:

1. The Amended Non-Unanimous Stipulation and Agreement filed on April 3, 2014, which is Exhibit 1 to this order, is approved.

2. The signatories of the Amended Non-Unanimous Stipulation and Agreement shall comply with its terms.

3. Subject to the conditions further described in this order, Union Electric Company d/b/a Ameren Missouri is granted a certificate of convenience and necessity to build a 5.7 megawatt direct current photovoltaic solar generating facility at 1621 Highway 79 in O'Fallon, Missouri, as more particularly described in Schedule D of its Application.

4. The certificate of convenience and necessity granted in ordered paragraph 3 is conditioned upon Union Electric Company d/b/a Ameren Missouri obtaining a Land Disturbance permit from the Missouri Department of Natural Resources, and filing a copy of that permit with the Commission.

5. The certificate of convenience and necessity granted in ordered paragraph 3 is further conditioned upon Union Electric Company d/b/a Ameren Missouri using the depreciation rates and plant account classifications as described in Staff witness Kofi Boateng's rebuttal testimony for the solar facility.⁶

6. Nothing in this order shall be considered a finding by the Commission of the reasonableness or prudence of the expenditures herein involved, or of the value for

⁶ The referenced testimony is Attachment A to the Amended Non-Unanimous Stipulation and Agreement.

ratemaking purposes of the properties herein involved, or as acquiescence in the value placed on said property.

7. The Commission reserves the right to consider the ratemaking treatment to be afforded the properties herein involved, and the resulting cost of capital, in any later proceeding.

8. This order shall become effective on April 18, 2014.

9. This file shall be closed on April 19, 2014.



BY THE COMMISSION

A handwritten signature in dark ink that reads "Morris L. Woodruff". The signature is fluid and cursive.

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
Hall, and Rupp, CC., concur.

Pridgin, Deputy Chief Regulatory Law Judge