BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Ameren Missouri's 2014 Utility Resource Filing Pursuant to 4 CSR 240-Chapter 22.	)))	File No. EO-2015-0084

REPLY BRIEF OF AMEREN MISSOURI

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COMES NOW Union Electric Company d/b/a Ameren Missouri ("Company" or "Ameren Missouri"), by and through counsel, and for its Reply Brief states as follows:

I. PROCEDURAL HISTORY

Ameren Missouri filed its Integrated Resource Plan ("IRP") on October 1, 2014. The Staff of the Missouri Public Service Commission ("Staff"), the Office of the Public Counsel ("OPC") and intervenors filed comments on Ameren Missouri's IRP filing on March 2, 2015. Significantly, the Staff filing indicated that it did not find a single deficiency with Ameren Missouri's IRP filing.[1] The parties entered into discussions to resolve alleged deficiencies as contemplated by the Commission's IRP rules and, on May 1, 2015, the parties memorialized those discussions in a Joint Filing, which set forth all issues that it had been able to resolve (and indicated how each was resolved) as well as listing all unresolved issues. On that same date, Ameren Missouri filed its responses to all unresolved issues. On May 29, 2015, the Company submitted a supplemental filing pursuant to its resolution of item 6b in the Joint Filing (which was a Sierra Club issue). On June 12, 2015, the Sierra Club filed a response to the Company's May 29th filing. Ameren Missouri responded to the June 12th filing on June 22, 2015. The Sierra Club filed another response on July 1, 2015, and to which both United for Missouri and Ameren

[1] EO-2015-0084 Staff Report – HC, p.1, February 27, 2015

Missouri filed responses on July 7 and July 10, 2015, respectively. Finally, on August 15, 2015, the Commission issued an order allowing stakeholders to file briefs in support of any remaining deficiency allegations. Those briefs were to be filed by August 26, 2015, and Ameren Missouri was given until September 9, 2015, to respond.

II. SUMMARY OF RESPONSE TO ALLEGED DEFICIENCIES

- Ameren Missouri has taken very seriously its obligations with respect to resource planning and with respect to compliance with the Commission's rules for resource planning to ensure that the Company is able to provide safe, reliable and efficient service at just and reasonable rates for years to come.

- Part of Ameren Missouri's resource planning necessarily involves constant monitoring of environmental regulations, the options for mitigation, the interplay with other resource decisions, and the implications to customers, investors, communities and the environment.

- Ameren Missouri presented its assumptions regarding future environmental regulations and compliance with an entire chapter of its IRP (Chapter 5) devoted to this topic.

- Ameren Missouri presented its assumptions regarding future greenhouse gas GHG policy in Chapter 2 of its IRP and has shown its assumptions to be reasonable based on the nature of actual regulation before us now (the Clean Power Plan ("CPP")) and third party assessments of the impacts of this regulation in conjunction with other environmental regulations. The Company also relied on CO_2 price forecast from a report co-authored by the Sierra Club's witness in this case.

- The Sierra Club has not made a compelling case to support its allegations of deficiencies, has attempted to revive an issue that it agreed to resolve under a Joint Filing (under which the Company has met its obligations acting in good faith), and has continually attempted to redefine the scope of what it agreed to.

- The Commission should reject the Sierra Club's unpersuasive arguments, and should put Sierra Club on notice that its actions are an affront to the process established by the Commission through its rules to effectively resolve alleged deficiencies in an IRP case.

- Should the Commission find that Sierra Club's issues do not constitute deficiencies and that the Company's IRP filing achieves substantial compliance with the requirements of the Commission's rules, the Company respectfully requests that the Commission acknowledge the Company's preferred plan and resource acquisition as reasonable and in substantial compliance with the Commission's IRP rules.

III. IRP PURPOSE

The Commission's IRP rules are not designed to override the decision making responsibility of utility management but rather to assure the utility uses a rigorous and transparent planning process. As far back as 1992, in the Commission's original Order of Rulemaking for the IRP, the Commission stated that it was "…wary of assuming, either directly or in a de facto fashion, the management prerogatives and responsibilities associated with strategic decision making, preferring to allow utility management the flexibility to make both overall strategy planning decisions and more routine management decisions in a relatively unencumbered framework."[2]

This framework has not changed, even with the Commission's revised IRP rules (which became effective after the Company filed its 2011 IRP plan). It has been said that the IRP provides a "snapshot" of need and resources for the next 20 years. It provides a basis for evaluating future long-term opportunities while providing a mechanism to focus upon short-term implementation needs. The IRP rules do not lock in long range resource selections but rather provides multiple opportunities to update, refine and communicate analysis results and decisions to the Commission and to stakeholders. As the Commission indicated in its Order of Rulemaking by which with [original IRP] rule was promulgated, "the focus of the rules should appropriately be on the planning process itself rather than on the particular plans or decisions that result from the process."[3]

As the Commission explained in the Company's last IRP case:

> The first section of Chapter 22, 4 CSR 240-22.010(1), explains that the Commission's policy goal embodied in the chapter is "to set minimum standards to govern the scope and objectives of the

[2] *Order of Rulemaking*, Docket No. EX-92-299, December 8, 1992.
[3] File No. EO-2011-0257, Report and Order, p. 28 , citing Missouri Register, Vol. 18, No. 1, p. 91 (January 4, 1993).

> resource planning process … to ensure that the public interest is adequately served." … In other words, the regulations require the utility to undertake a planning process. It does not require the utility to reach a particular result or even a result of which the Commission would approve.[4]

Ameren Missouri believes it undertook a vigorous and effective planning process. As the Commission reads through this Reply Brief, it will find that the alleged deficiencies voiced by the Sierra Club are unfounded and driven by different opinions and world views rather than by a failure by Ameren Missouri to adequately plan. A difference in opinion may exist, but does not mean that the Company has not complied with the Commission's IRP rules. The IRP rules do not require that the parties agree upon a specific input or a specific output. The IRP rules only require the Company to undertake the required planning process; it does not require that all stakeholders agree with the result.

It should be noted that even the Sierra Club's Brief does not argue that Ameren Missouri *did not do* the analysis required by the Commission's IRP rules or the analysis agreed upon in the Joint Filing. Rather, the Sierra Club argues that the analysis should have been done *differently*; more specifically, that *the Sierra Club would have completed the analysis differently*. Wanting different results does not mean the filing contains a deficiency. A deficiency is defined in the Commission's IRP rules as "Deficiency means deficiencies in the electric utility's compliance with the provisions of this chapter, any major deficiencies in the methodologies or analyses required to be performed by this chapter, and anything that would cause the electric utility's resource acquisition strategy to fail to meet the requirements identified in Chapter 22."[5] In other words, a deficiency exists when Ameren Missouri fails to do something required by the

[4] File No. EO-2011-0271, Report and Order, p. 26.
[5] 4 CSR 240-22.020(9)

rules. It is not a deficiency for the Sierra Club to hold a different view on an input or estimation. That would be a difference in opinion, which is not a deficiency.

IV. REMAINING DEFICIENCY ALLEGATIONS

On August 26, 2015, the Sierra Club filed its brief as allowed by to the Commission order. Importantly, no other party filed a brief, indicating that no other party believes there remains an open deficiency issue for Commission consideration.

The Sierra Club's brief asserted deficiencies related to two issues. First, the Sierra Club asserted that Ameren Missouri's IRP is deficient as a result of the assumptions the Company made regarding GHG regulations and second, that the Company's IRP is deficient as a result of the lack of documentation of its assumptions regarding compliance with future environmental regulations. Specifically, the Sierra Club brief asserts that Ameren Missouri's IRP does not adequately describe and document its assumptions regarding the retrofit of coal units with Flue Gas Desulfurization (FGD) and Selective Catalytic Reduction (SCR) pollution control devices.

In making its arguments, the Sierra Club relies on certain portions of 4 CSR 240-22.040 as the basis for its alleged deficiencies. There are three aspects of the Commission's IRP rules that are relevant to this discussion. 4 CSR 240-22.040(1) requires the inclusion of probable environmental costs for supply side resources. This means that the expected costs of complying with future environmental regulations must be included in the cost of resources, including those already owned and operated by the utility. 4 CSR 240-22.040(2) requires the utility to describe and document its analysis of resource options. Finally, 4 CSR 240-22.040(2)(B) provides for the determination of the expected mitigation cost for each of a list of pollutants for which the utility determines legal mandates may be imposed during the planning horizon. This section requires the utility to apply, "…a subjective probability that represents utility decision-maker's judgment

of the likelihood that legal mandates requiring additional levels of mitigation will be required at some point within the planning horizon." As there is no limitation on this probability other than mathematical laws, this probability can be any percentage between and including 0% and 100%. In short, the relevant portions of these provisions require the consideration and documentation of expected costs for complying with future environmental regulations. As is clear from a review of Ameren Missouri's initial IRP filing, the Company has done exactly that.

A. GHG Regulation Assumptions

The Sierra Club's assertion of a deficiency with respect to Ameren Missouri's GHG regulation assumptions is unfounded. The Commission's IRP rules require the utility to identify environmental pollutants for which legal mandates may be imposed and the likelihood those mandates may require additional levels of mitigation in the judgment of utility decision-makers. Ameren Missouri developed its assumptions regarding future GHG and other environmental regulations through consultation with Ameren Missouri's executive management who deal directly with environmental regulators and policymakers, to use the judgment of utility decision makers in this process.[6] Ameren Missouri's IRP filing meets those requirements and no party, including Sierra Club, has challenged the qualifications of the Company's internal experts to develop such assumptions.

The process used for assessing the risks around future GHG policy, including the interaction with other environmental regulations, is detailed in Chapter 2 of the IRP.[7] Initially, potential GHG regulations were assessed using several approaches and mechanisms, including methodologies which use a direct price on CO_2 emissions and methodologies that do not set a

[6] *See* 4 CSR 240-22.060(7), 4 CSR 240-22.040(2)(B) and 4 CSR 240-22.020(47).
[7] EO-2015-0084, IRP filing, pp. 18-21.

direct price on CO_2 emissions.[8] Ameren Missouri's decision makers, after reviewing these approaches, determined that mechanisms that do not establish a direct price on CO_2 emissions represented a much more likely scenario. In addition, Ameren Missouri estimated coal retirements for the U.S. Eastern Interconnect for each regulation scenario. Retirements by 2030 were estimated at three levels – 80 GW, 100 GW, and 120 GW, with Ameren Missouri decision makers deciding that the 100 GW retirement scenario to be the most likely.[9] In the event that mechanisms are implemented that involve establishing a direct price on CO_2 emissions, Ameren Missouri assumed that this would begin in 2025 with prices based on a study by Synapse Energy Economics, which was co-authored by Sierra Club witness Dr. Ezra D. Hausman.[10]

Ameren Missouri's assumptions are appropriate and should be accepted by the Commission. Independent studies of the impacts of the CPP have produced estimated retirement levels consistent with Ameren Missouri's assumptions. These include studies by NERA Economic Consulting (~97GW of retirements)[11], the Bipartisan Policy Center (~90GW)[12] and consultants for the US EPA (~100 GW).[13] Ameren Missouri included unit-specific retirement assumptions in its modeling of the GHG policy scenarios, including a number of plants owned by utilities in Missouri, which have since announced plans to retire those very plants. Total retirements of ~100 GW represent approximately one-third of the total U.S. coal generation fleet of over 300 GW. All of Ameren Missouri's alternative resource plans include retirement of at least 1800 MW of coal-fired generation, or about one-third of Ameren Missouri's existing coal-fired fleet. Retirement of coal generation and, when necessary, replacement by less carbon-

[8] *Id*., p. 19.
[9] *Id*., pp. 19-20.
[10] *Id.*, pp. 20-21.
[11] Potential Energy Impacts of the EPA Proposed CPP, October 2014.
[12] Modeling Proposed CPP: Preliminary Results, September 22, 2014.
[13] http://www.epa.gov/airmarkets/powersectormodeling/docs/Option%201%20State.zip.

intensive forms of generation (e.g., renewables, gas, nuclear) results in the realization of the primary costs imposed by GHG regulations. That is, the cost of retiring and replacing fossil-fired generation **is** the cost of compliance. Neither the proposed nor final forms of the Environmental Protection Agency's (EPA) CPP imposes an explicit price on CO_2 emissions. Rather, the CPP is exactly the kind of regulation (as assumed by Ameren Missouri's internal experts) represented by scenarios representing 85% of the total probability for GHG regulations. For this reason, it is not necessary, and would in fact be a double-count of compliance costs, to additionally impose a price on every ton of CO_2 emitted when a mechanism requiring the establishment of such a cost is not in place.

The Sierra Club's assertions are based entirely on the erroneous notion that every ton of CO_2 emitted must bring with it a direct economic cost to each generator regardless of the form of the regulation. Consider a car lease that includes a charge for mileage in excess of a fixed limit. At the end of the lease, the actual mileage is compared to the limit and a charge is assessed for any miles in excess of the limit. There is no charge for any miles driven up to the limit. If the actual mileage is less than the limit, then no additional charge is imposed. While the CPP does not even contemplate the ability to pay for tons of CO_2 emitted in excess of a fixed limit, it does impose a limit. But like the auto lease in the foregoing example, it imposes no charge for any tons emitted (or miles in the case of the car lease) that are within the limit.

The Sierra Club's assertions regarding compliance with the proposed CPP are premature. The Commission's IRP rules do not contain unrealistic requirements such as knowing the **specifics of a future environmental regulation** and analyzing alternative resource plans under these specifics. Ameren Missouri's IRP filing made reasonable assumptions on future possible

GHG regulations that are consistent with the assessment of third party sources on the implications of (then proposed) CPP as explained above.

On February 3, 2014, Ameren Missouri shared its assumptions, alternative plans to be analyzed, and intended methods for analyzing those plans with the parties to this case. During the weeks immediately subsequent to that meeting, Ameren Missouri shared full and complete draft chapters corresponding to its work pursuant to 4 CSR 240-22.010-22.050, as required by 4 CSR 240-22.080(5), and reviewed and incorporated the comments received (outside of the Commission's electronic filing system) on the drafts. The comments of the Sierra Club, which were provided jointly with National Resource Defense Council, stated that, "Ameren should provide an analysis of the current draft carbon dioxide emissions standards under 111(b) and either a range of potential standards under section 111(d), **or provide an update to the IRP with an analysis of EPA's proposed 111(d) rule** [emphasis added**],** which EPA has committed to release on June 2, 2014." A copy of those written comments are attached to this Reply Brief as Attachment A, as they were submitted outside of the Commission's electronic filing system and thus are not otherwise available to the Commission.

Section 111(b) of the Clean Air Act establishes standards for new units, and Ameren Missouri included its assumptions for new units in Chapter 5 of its IRP filing. Section 111(d) of the Clean Air Act establishes standards for existing units, and is the regulation under which EPA has promulgated its CPP rule. Ameren Missouri noted in Chapter 11of its IRP that the Company has, "included analysis and discussion of the regulations proposed by the U.S. EPA on June 2, 2014, in Chapter 10."[14] This language was included by Ameren Missouri precisely to address the comment raised by the Sierra Club regarding the Company's draft IRP documentation.

[14] IRP filing, p. 10.

Timing is also a consideration ignored in the Sierra Club's brief. Ameren Missouri's analysis under 4 CSR 240-22.060 and 4 CSR 240-22.070, which is by its nature complex and time consuming and must be completed in a timely fashion to support review and preferred plan selection by management, was well underway by the beginning of June. The EPA released its proposed CPP regulations on June 2, 2014, by which time Ameren Missouri's IRP analysis had been in process for several months. The rule was not intended nor expected to be final until the summer of 2015, long after Ameren Missouri's IRP would be filed. In addition, it was clear from the outset that the CPP rule will be subject to legal challenges. For these reasons and because the proposed rule was released so late in the IRP development process for Ameren Missouri, definitive analysis of compliance for inclusion in the preferred resource plan was neither practical nor appropriate for inclusion in that filing.

The Sierra Club's comments on Ameren Missouri's draft IRP documentation appeared to recognize the challenge of the timing by suggesting the possibility of including analysis of the proposed CPP in an "update" after the IRP was filed. The Company chose to include an evaluation of the potential impacts of the proposed rule in its IRP filing, which was necessarily on a parallel track with the IRP work already underway, rather than file its analysis of the CPP sometime after the IRP was filed. Discussion of that analysis can be found in Chapter 10 of Ameren Missouri's IRP.[15] It depicts explicit potential changes that may be needed to THE Company's preferred plan in order to comply with the proposed CPP and an assessment of the costs of those changes, which the Company had estimated to be $4 billion based on its detailed modeling analysis.[16] In short, the Sierra Club's assertion that Ameren Missouri "did not attempt

[15] *Id.*, pp. 17-19. (Also Chapter 1, pp. 16-18).
[16] *Id.*

to specifically model CPP compliance in this IRP" is just wrong. In fact, the Company did **exactly** what the Sierra Club suggested.

B. FGD and SCR Assumptions

Similar to the allegation discussed above, the Sierra Club's allegation of a deficiency regarding FGD and SCR assumptions is unfounded. The Sierra Club states that Ameren Missouri is obligated to document its IRP analysis in a way that allows parties to thoroughly assess the Company's resource acquisition strategy and each of its components. The Company agrees, and has provided the information to allow the Sierra Club, and every other intervenor, with the ability to do just that.

The Sierra Club focuses on specific provisions of 4 CSR 240-22.040, which taken together, require the Company to describe and document its consideration of the expected cost of mitigation associated with environmental regulations imposed during the planning horizon. The Company included an entire chapter (Chapter 5) in its IRP which discusses existing and expected environmental regulations. Appendix 5B clearly presents, in a simple graphical form, the expected cost and timing of environmental retrofits for each coal-fired energy center, including the Company's base timing expectation and uncertainty with respect to that timing (denoted by arrows extending in either direction).[17] The IRP filing contains a specific discussion of the National Ambient Air Quality Standards for Ozone and SO_2[18] and sets forth the assumptions for compliance with all air regulations.[19]

The Sierra Club's assertion of a deficiency regarding FGD and SCR assumptions is at odds with the Joint Filing, submitted earlier in this case. To be clear, the Sierra Club raised this deficiency in its comments provided on March 2, 2015. 4 CSR 240-22.080(9) requires any party

[17] *Id.*, Chapter 5, Appendix 5B, pp. 1-2.
[18] *Id.*, Chapter 5, pp. 7-9.
[19] *Id.*, pp. 17-19.

alleging a deficiency to work with the utility to reach a joint agreement on a plan to remedy alleged deficiencies and concerns. Ameren Missouri, the Sierra Club and the other parties to the IRP case agreed to a Joint Filing, which was submitted on May 1, 2015. The Joint Filing listed those issues for which a resolution was reached and also listed those issues which remained unresolved. Paragraph 6 of the Joint Filing lists the alleged deficiencies for which a resolution was reached. Item a in paragraph 6 states the deficiency alleged by Sierra Club regarding FGD/SCR assumptions and that this issue is resolved by the inclusion, in a supplemental filing by Ameren Missouri, of a discussion of the Company's consideration of FGD and SCR retrofits for its existing coal-fired generating fleet. Ameren Missouri made its supplemental filing on May 29, 2015. The supplemental filing directly reflected the nature of the discussion between Ameren Missouri and the Sierra Club regarding the scope of discussion needed for the supplemental filing, including a primary focus on how assumptions had changed since the Company's 2011 IRP was filed. The relevant portion of the Joint Filing specifically states, "Fulfillment of the remedies on these issues means they are no longer active issues in this IRP case."[20] In signing the Joint Filing, Ameren Missouri agreed to forego responding to this alleged deficiency by the Sierra Club, and therefore, the response filed by Ameren Missouri on May 1, 2015 did not address the issue. The Company's supplemental filing satisfied its obligation under the Joint Filing and the Commission's consideration of this issue should go no further. Instead of acting in good faith under the agreement it had reached with Ameren Missouri, the Sierra Club has repeatedly attempted to redefine the scope of the agreed upon resolution of this issue in the Joint Filing to resurrect an issue it agreed to resolve. This should not be allowed. Ameren Missouri worked with the Sierra Club in good faith to reach a resolution of the alleged deficiency regarding the Company's assumptions for FGD and SCR retrofits. The Company's May 29,

[20] Joint Filing, par. 6, May 1, 2015.

2015, Supplemental Filing directly reflects the nature of the discussion regarding this alleged deficiency and the level of the discussion needed to address it (i.e., primarily focused on how the Company's environmental compliance assumptions changed compared to the 2011 IRP). The Supplemental Filing also noted, as was noted in the initial IRP, that the use of so-called "ultra-low sulfur coal" was assumed to comply with SO_2 limits in addition to the retirement of Meramec and installation of FGD equipment at Labadie. Further, the Company noted in its Supplemental Filing the role of the "very low NO_x emission rates at the Company's other coal-fired energy centers" in assuming that an SCR would be required only at Sioux.

The Sierra Club admits in its June 12, 2015, filing that the Company's Supplemental Filing, "makes an effort to 'describe and document,' pursuant to 4 CSR 240-22.040(2)(B), the Company's underlying assumptions of future FGD and SCR controls on its coal-fired units."[21] The Sierra Club then makes its first attempt to redefine the nature of additional discussion desired from the Company by delving into specific technical details of implementation of current regulations, which the Company discussed in Chapter 5 of the IRP, and the Sierra Club's own opinions as to how compliance would have to be achieved. As discussed earlier in the Legal Standard section of this Reply Brief, the issue before the Commission is not which opinion to adopt but rather whether or not Ameren Missouri has provided a basis for its opinion.

The Sierra Club has also mischaracterized Ameren Missouri's arguments on this issue. The Company filed its June 22nd response to correct errors and misconceptions in the Sierra Club's June 12th response. In that filing, Ameren Missouri noted details regarding the process used by the EPA and the Missouri Department of Natural Resources (MO DNR) for the designation of areas as attainment or non-attainment and MO DNR's plan for achieving attainment. In its July 1st response, the Sierra Club attempts to characterize the Company's

[21] Sierra Club Response to Ameren Missouri's Supplemental Filing, p. 1, June 12, 2015.

response as a "dodge," apparently ignoring full-page paragraphs in the Company's June 22nd response addressing each issue. The Sierra Club goes on to state that the Company's June 22nd response, "finally begins to provide an explanation of its assumptions regarding why it believes that Rush Island will not require a scrubber." Despite this rhetoric, the Sierra Club needed to look no further than Chapter 5 of the Company's IRP for a very similar discussion regarding the expectations for attainment designations for SO_2, including the option to make designations based on monitoring of actual emissions rather than less reliable modeling techniques.[22]

Finally, in its brief, the Sierra Club attempts to redirect the Commission's attention to a very specific provision in the IRP rules regarding the specification of a probability for future environmental regulations. With respect to regulation of CO_2 emissions, the Sierra Club admits that the Company has specified different probabilities for different outcomes of GHG policy. As the Company noted in Chapter 2 of its IRP, where these assumptions and the process for their determination are fully described, these effects are the result of both GHG policy and other environmental regulations. Regarding the probability for mitigation associated with these other regulations, it should be clear to anyone reading Chapter 5 of the IRP filing that the Company has assumed the probability of a host of future environmental requirements is 100%. Assumed costs for environmental compliance are also referenced in Chapter 5.[23] Appendix 5B shows expected capital costs and illustrates clearly that the uncertainty is around the <u>timing</u> of the required mitigation and <u>not</u> whether mitigation is expected to be required. The costs themselves have not been scaled down by a percentage less than 100%. It is not unreasonable to expect that the Sierra Club would not recommend a lower probability. As with any of its purported confusion regarding the Company's environmental compliance assumptions, if the Sierra Club

[22] IRP filing, pp. 7 - 9.
[23] *Id.*, p. 15.

was confused about the Company's expected likelihood for future environmental regulations, it had five months (from the time the IRP was filed to the time comments were due) to ask questions and seek additional information or be directed to information already in the filing and associated work papers, which were shared with stakeholders within days of the filing of the IRP itself. The Sierra Club did not ask any such questions or seek any further clarification during that entire time.

V. ACKNOWLEDGEMENT REQUEST

Under the Commission's IRP rules, the Commission may "acknowledge" Ameren Missouri's IRP. The rule states, "If the Commission finds that the Company's IRP filing achieves substantial compliance with the requirements outlined in section (16), the Commission may acknowledge the utility's preferred resource plan or resource acquisition strategy as reasonable at a specific date." [24] Acknowledgement is not a pre-determination of prudence and does not create a rebuttable presumption of prudence in proceedings where the reasonableness of resource acquisitions is considered, but may be used as supporting evidence that is no more or less relevant than any other piece of evidence. So why would the Commission choose to acknowledge a company's preferred resource plan or acquisition strategy? The best rationale is to demonstrate the effectiveness of the Commission's resource planning process to encourage and ensure effective resource planning by the utilities the Commission regulates. If a utility has satisfactorily complied with the requirements of the Commission's resource planning rules, which are detailed and comprehensive, it should result in a preferred plan and resource acquisition strategy that is reasonable.

Ameren Missouri submits that it has provided an IRP filing which satisfactorily (and substantially) complies with the Commission's IRP requirements. This statement is further

[24] 4 CSR 240-22.080(17).

buttressed by the fact that the Commission's own Staff did not find any deficiencies after completing its review and no party other than the Sierra Club has found it necessary to bring an allegation of a deficiency to the Commission for consideration. Ameren Missouri submits that it is rare for Staff to not find a single deficiency and that fact alone indicates that Ameren Missouri is in substantial compliance with the Commission's IRP rules. Ameren Missouri asks the Commission to acknowledge this IRP filing as set forth in its IRP rules.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Reply Brief of Ameren Missouri was served on all parties of record via electronic mail (e-mail) on this 9th day of September, 2015.

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