

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

In re: Union Electric Company's 2014)	
Utility Resource Filing Pursuant to)	File No. EO-2015-0084
4 CSR 240 – Chapter 22)	

UNITED FOR MISSOURI REPLY BRIEF

On October 1, 2014, Ameren filed its 2014 Integrated Resource Plan (“IRP”). Sierra Club and a number of other parties filed initial comments on March 2, 2015. On May 1, 2015, Ameren filed its response to stakeholders’ alleged deficiencies and concerns regarding the Company’s IRP, as well as a Joint Agreement where the Company agreed to prepare a supplemental filing to discuss its consideration of the need for specific environmental controls at its existing coal-fired generating units. On May 5, 2015, the Commission issued an *Order Directing Filing* of any comments related to various parties’ May 1, 2015 pleadings by July 1, 2015. That Order was then followed by the following events:

- On May 29, 2015, Ameren submitted its Supplemental Filing.
- On June 12, 2015, Sierra Club responded to Ameren’s Supplemental Filing.
- On June 22, Ameren filed a response to Sierra Club’s June 12 filing.
- On July 1, 2015, Sierra Club submitted a response to Ameren’s May 1 and June 22 filings (“Sierra Club’s July 1 Filing”).
- On July 7, 2015, UFM responded to Sierra Club’s July 1 Filing (“UFM’s Response”).
- On August 12, 2015, the Commission issued an *Order Directing Filing*, directing that “any party who alleges deficiencies in the Utility Resource Filing of Union Electric Company d/b/a Ameren Missouri may file briefs in support of its position no later than August 26, 2015.”
- On August 26, 2015, Sierra Club filed its Initial Brief. No other party filed a brief in this case.

The Commission should now find that Ameren Missouri's October 1, 2014, IRP filing complies with the requirements of 4 CSR 240-22 and acknowledge its Preferred Resource Plan as reasonable at this time.

The Sierra Club Initial Brief is simply a recapitulation of Sierra Club's July 1 Filing. In both, Sierra Club alleges that Ameren Missouri failed to take into consideration a number of Environmental Protection Agency ("EPA") proposals in its planning process. As pointed out in UFM's Response, this is simply not the case. Sierra Club had more than enough information from Ameren Missouri's IRP filing to develop its own preferred resource plan.

Sierra Club continues to disagree with the conclusions Ameren Missouri drew in its IRP regarding the EPA proposed actions. It bases its concerns on speculation about future events and a commitment to a certain political path. However, this commitment to a certain political path is not the same as prudent resource planning.

The Commission may regulate within the limits of its statutory authority. In *State ex rel. Harline v. Pub. Serv. Comm'n*, 343 S.W.2d 177, 181 (Mo. App. 1960), the court found the Commission has comprehensive powers over corporate malfeasance, but not over management. While the Commission may assess whether Ameren Missouri has done a competent job in its planning analysis, it may not impose a politically driven agenda on that planning process. To do so would be unreasonable. Sierra Club's recommendations are not consistent with competent resource planning. Ameren Missouri still has the obligation to comply with the law-- environmental laws as well as its planning obligations for prudent customer service--after the IRP process is over. The Commission should leave that obligation where it belongs and not impose additional burdens that interfere with that obligation and increase costs to Ameren Missouri and its customers.

WHEREFORE, UFM respectfully requests the Commission find that Ameren Missouri's October 1, 2014, IRP filing complies with the requirements of 4 CSR 240-22 and acknowledge its Preferred Resource Plan as reasonable at this time.

Respectfully submitted,

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Dated: September 9, 2015

Certificate of Service

I hereby certify that a true and correct PDF version of the foregoing was sent by email on this 9th day of September, 2015, to all individuals on the Commission's service list.

/s/ David C. Linton