

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri's Tariffs to Decrease Its) **Case No. ER-2019-0335**
Revenues for Electric Service.)

**STAFF REPLY TO RESPONSE OF MIEC, MECG AND CCM
IN OPPOSITION TO PROPOSED PROCEDURAL SCHEDULE**

COMES NOW Staff of the Missouri Public Service Commission (“Staff”) and for its Reply to the Response of MIEC, MECG and CCM in Opposition to Proposed Procedural Schedule states as follows:

1. On August 1, 2019, Staff and certain other parties to this case filed a proposed procedural schedule and procedures (the “August 1 Filing”).
2. On August 2, 2019, the Missouri Industrial Energy Consumers (“MIEC”), the Midwest Energy Consumers Group (“MECG”), and the Consumers Council of Missouri (“CCM”) (collectively the “Objecting Parties”) filed a response in opposition to just one of the procedures proposed in the August 1 Filing. That procedure is set forth in paragraph (s) of the August 1 Filing and states in its entirety as follows:

(s) Rate case expense associated with Case No. ER-2019-0335 will be examined through the scheduled date for filing of reply briefs and adjustments may be proposed accordingly.

3. The Objecting Parties state that they oppose the rate case expense true-up procedure for two reasons. The first reason (which is really a set of alleged reasons) is that the rate case expense data will never become part of the record of the case, there is no procedure proposed to furnish other parties with the data, nor is there a procedure whereby disputes about the data could be brought to the Commission for resolution. Each

of these supposed reasons can be easily resolved. For example, Ameren Missouri could be ordered to file its updated rate case expense in the case within a set number of days following filing of reply briefs, thereby making the data part of the record of the case and at the same time furnishing other parties with the data. If the Objecting Parties dispute the accuracy of the data they could then file a pleading with the Commission, as each of the Objecting Parties is a frequent practitioner in Commission proceedings and well versed in making filings at the Commission.

4. The Objecting Parties' second reason is essentially that rate case expense is no different than any other expense considered in setting rates and should be treated no differently. However, rate case expense is already treated differently. For example, as the Commission is aware, it has in recent cases adopted a practice of ordering a "sharing" of rate case expense between ratepayers and shareholders; a different treatment from that afforded other expenses. If rate case expense is going to be shared, it makes sense to pick up as much of the current case's expense in the current case as possible. In addition, rate case expense is different from other utility expense because it is directly associated with the regulatory processes utilities must follow in order to obtain rate relief, and because it is very much back-loaded in nature.

5. Finally, it should be remembered that the purpose of any true-up is to true-up the figures – not to revise or change methodologies for true-up issues. Therefore, the Objecting Parties will have every opportunity under the procedural schedule as proposed to argue against any methodology proposed by any party for calculating rate case expense. Any post-reply brief adjustments proposed to rate case expense would then

only update the amount of rate case expense rather than the methodology used to calculate such expense.

WHEREFORE, Staff submits this Reply to the Response of MIEC, MECG and CCM in Opposition to Proposed Procedural Schedule and requests that the Commission issue an order adopting the proposed procedural schedule and imposing the procedural requirements set forth in the August 1 Filing.

Respectfully submitted,

/s/ Jeffrey A. Keevil

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record this 12th day of August, 2019.

/s/ Jeffrey A. Keevil