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January 9, 2015

FILED

JAN 13 2015

Missouri Public
Service Commission


Mr. Kevin Thompson
Staff General Counsel
Missouri Public Service Commission
Governor State Office Building
Jefferson City, Mo. 65101

Dear Mr. Thompson:

Enclosed with this letter is a Formal Complaint pertaining to Mr. Sauer's request for certain information regarding Ameren's purchase of energy from the Pioneer Prairie Wind Farm.

If you have any questions or comments, please do not hesitate to contact me at (314) 863-0200.

Sincerely,



Matthew H. Hearne
mhearne@hb-law.com

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Fred Sauer

Complainant,

Missouri Public Service Commission, and
Ameren

Respondents.

FILED

JAN 13 2015

**Missouri Public
Service Commission**

FORMAL COMPLAINT

COMES NOW Fred Sauer, (Sauer), and pursuant to the Commissions Rule 4 CSR 240-2.070 hereby files this Formal Complaint against the aforementioned Respondents. The address of Complainant is 7800 Forsyth, Suite 820, Clayton, Missouri 63105. The address of the Missouri Public Service Commission is P.O. Box 360 Jefferson City, Missouri 65102. The Street address of Ameren is 1901 Chouteau Av., St. Louis, Mo. 63103.

In support of this Complaint, Sauer states as follows:

1. Complainant Sauer is an individual and citizen of the State of Missouri residing in St. Louis County, Missouri and is a customer of Ameren.
2. The Missouri Public Service Commission is an agency of the State of Missouri charged with regulating public utilities including Ameren.
3. Ameren is a public utility regulated by the Missouri Public Service Commission.

As the basis for this complaint, Complainant states as follows:

4. On November 24, 2014 Sauer filed a request with the Commission for certain information pursuant to Missouri's Sunshine law. The Commission responded on December 17, 2014 and asserted that since Ameren claimed that some of the information Sauer requested was "highly confidential" they would not release it. The Commission and Ameren claim that the requested information was designation "highly confidential" pursuant to 4 CSR 240-2.135.

5. More specifically Sauer requested certain information and documents on November 24, 2014 regarding the value of certain renewable tax credits including the following:

- (a) the total kilowatt hours of energy purchased by Ameren from Pioneer Prairie Wind Farm in 2012;
- (b) the total kilowatt hours of energy purchased by Ameren from Pioneer Prairie Wind Farm in 2013;
- (c) the total purchase price paid by Ameren for energy produced by Pioneer Prairie Wind Farm;
- (d) total generational output from Pioneer Prairie Wind Farm supplied to Ameren Missouri customers for the CY2012 as detailed in Section (7)(A)1C on page 6 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (e) the value of solar renewable energy credits Ameren Missouri received as a result of the production of solar energy at Ameren Missouri headquarters office building in St. Louis, Missouri as detailed in Section (7)(A)1D on page 8 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (f) the value of the renewable energy credits Ameren Missouri received in 2012 as a result of Ameren Missouri's Maryland Heights Renewable Energy Center as detailed in Section (7)(A)1D on page 8 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013. (Exhibit 1).

6. The Commission denied Sauer's request on December 17, 2014 and claimed that since the information Sauer requested was provided by a third party it could not be released except on an order from the Commission. (Exhibit 2)

7. Ameren and the Commission's decision to classify Sauer's requested information as "highly confidential" is in error. Such classification is unlawful, unjust, in excess of the Commission's statutory authority, unreasonable, constitutes an abuse of discretion, and is arbitrary and capricious for all the reasons set forth herein. As such the Commission should rehear and or reconsider this matter and thereafter release the information Sauer requested in Exhibit 1.

8. 4 CSR 240-2.135(1) states "The commission recognizes two (2) levels of protection for information that should not be made public.

(A) Proprietary information is information concerning trade secrets, as well as confidential or private technical, financial, and business information.

(B) Highly confidential information is information concerning—

1. Material or documents that contain information relating directly to specific customers;

2. Employee-sensitive personnel information;

3. Marketing analysis or other market specific information relating to services offered in competition with others;

4. Marketing analysis or other market specific information relating to goods or services purchased or acquired for use by a company in providing services to customers;

5. Reports, work papers, or other documentation related to work produced by internal or external auditors or consultants;

6. Strategies employed, to be employed, or under consideration in contract negotiations; and

7. Information relating to the security of a company's facilities."

9. The Commission makes no claim that the information sought by Sauer is proprietary, they only claim that it came from a third party and that it is "highly confidential". As stated above Sauer does not request any information that could remotely fall within the seven categories of confidential information listed in 4 CSR 240-2.135.

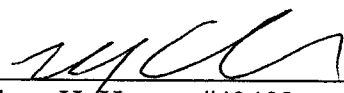
10. Sauer does not ask for any customer information, employee information, marketing information, work product of auditors or consultants, contract information or security information. He only asks for specific information that will shed light on the cost and value of renewable energy and the price Ameren is paying for it.

11. Furthermore Sauer and other electrical utility customers are entitled to know what the true cost of renewable energy is. By knowing how much energy Ameren purchases from the Pioneer Wind Farm, Sauer and other utility customers will be in a more informed position to better analyze any need or the propriety of any future rate hike proposals.

12. The Complainant has formally requested the Commission to produce the requested information stated above and has called the Commission to discuss his request.

WHEREFORE, Sauer respectfully requests that the Missouri Public Service Commission and Ameren reconsider its December 17, 2014 decision classifying Sauer's requests as "highly confidential" and provide him with the information requested in paragraph 5 above.

HEARNE & BENDICK L.L.C.


Matthew H. Hearne #43482
230 South Bemiston, Suite 770
St. Louis, MO 63105
314-863-0200
Attorneys for Fred Sauer

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the forgoing Complaint and Exhibits attached thereto, were served this 9 day of January, 2015 by first class U.S. mail to the following:

Kevin Thompson
Staff General Counsel
Missouri Public Service Commission
Governor State Office Building
Jefferson City, Mo. 65101

Gregory Nelson
General Counsel
Ameren
901 Chouteau Av.,
St. Louis, Mo. 63103.

Lewis Mills
Office of the Public Counsel
Governor State Office Building
Jefferson City, Mo. 65101

Fred N. Sauer

7800 Forsyth, 8th Floor
St. Louis, MO 63105
Tele: (314) 725-3800
Fax: (314) 725-3802
tsjlaw@sbcglobal.net

November 24, 2014

VIA EMAIL: recordsrequest@psc.mo.gov

Missouri Public Service Commission
200 Madison Street, PO Box 360
Jefferson City, MO 65102-0360

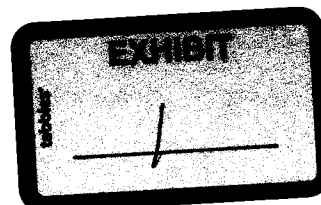
Re: Sunshine Records Request

To Whom It May Concern,

This is a request for records under the Missouri Sunshine Law, Chapter 610, Revised Statutes of Missouri.

With this letter, I hereby request that you make available to me the following records, and I state that this request covers all records from January 1, 2011 through the date of your response to this request:

- any and all documents relating in any way to
 - (1) the total kilowatt hours of energy purchased by Ameren from Pioneer Prairie Wind Farm in 2012;
 - (2) the total purchase price paid by Ameren for energy produced by Pioneer Prairie Wind Farm;
 - (3) total generational output from Pioneer Prairie Wind Farm supplied to Ameren Missouri customers for the CY2012 as detailed in Section (7)(A)1C on page 6 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
 - (4) the value of solar renewable energy credits Ameren Missouri received as a result of the production of solar energy at Ameren Missouri headquarters office building in St. Louis, Missouri as detailed in Section (7)(A)1D on page 8 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;



- (5) the value of the renewable energy credits Ameren Missouri received in 2012 as a result of Ameren Missouri's Maryland Heights Renewable Energy Center as detailed in Section (7)(A)1D on page 8 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (6) the value of the renewable energy credits Ameren Missouri carried forward for the Pioneer Prairie Facility as detailed in Section (7)(A)1G on page 10 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (7) the un-redacted version of page 15 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (8) the un-redacted version of page 16 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (9) the un-redacted version of page 17 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (10) the un-redacted version of page 18 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (11) the un-redacted version of page 20 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (12) the un-redacted version of page 21 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (13) the un-redacted version of page 22 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (14) the un-redacted version of page 23 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013;
- (15) the un-redacted version of page 24 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013; and
- (16) the un-redacted version of page 25 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013, including without limitation all:
- communications within the Missouri Public Service Commission's office;
 - communications between or among the Missouri Public Service Commission's office and any other state department, agency, division, office, official, agent, contractor, or employee;
 - communications between or among the Missouri Public Service Commission's office and any municipality, municipal government, municipal department, agency, division, office, official, agent, contractor, or employee;

- communications between or among the Missouri Public Service Commission's office and any other person, entity, group, or association, including the media;
- submissions by any proponent, opponent, or otherwise;
- analyses, spreadsheets, ledgers, books, and records; and
- all phone records.

For purposes of this request, the following definitions apply:

"documents" includes without limitation all hard copy, e-mail, electronic data, and electronically stored information, the original and any copy of all written, printed, typed recorded or graphic material of any kind or character now or formerly in the possession, custody or control of your agency, including without limitation, letters, correspondence, diaries, papers, telegrams, memoranda, spreadsheets, handwritten notes, inventories, records, minutes, contracts, agreements, records or notations of telephone or personal conversations or conferences, date sheets, books of account, microfilm, bulletins, circulars, pamphlets, studies, notices, summaries, reports, books, teletype messages, invoices, canceled checks, bank statements, tape recordings, working papers and work sheets, photographs, videotape recordings, blueprints, drawings, depictions, or any other writings, however produced or reproduced;

"communications" includes without limitation all hard copy and electronic communications, emails, memoranda, letters, text messages, instant messages, iPhone, Android, Treo, Blackberry, PIN, and other messages and communications, telecommunications, voice messages, and any other communicative interactions and any other records of communication.

I believe that this request serves the public interest and therefore ask that all fees for locating and copying the records be waived. The information I obtain through this request will be used to determine the impact of Missouri's Renewable Energy Standards have on Missouri taxpayers and Missouri energy consumers. Please let me know in advance of any search or copying fees if the fees will not be waived.

If portions of the requested records are closed or privileged in any way, please segregate the closed portions, prepare a log of those portions, and provide me with the log as well as the rest of the records that are not closed.

Should you have any questions, please contact me at (314) 725-3800.

Sincerely,

Fred N. Sauer



Commissioners

ROBERT S. KENNEY
Chairman

STEPHEN M. STOLL

WILLIAM P. KENNEY

DANIEL Y. HALL

SCOTT T. RUPP

Missouri Public Service Commission

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JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
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JOSHUA HARDEN
General Counsel

MORRIS WOODRUFF
Secretary

WESS A. HENDERSON
Director of Administration
and Regulatory Policy

CHERLYN D. VOSS
Director of Regulatory Review

KEVIN A. THOMPSON
Chief Staff Counsel

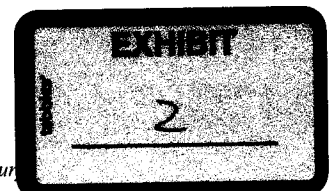
December 17, 2014

Fred Sauer
7800 Forsyth, 8th Floor
St. Louis, MO 63105

Re: Sunshine Request of December 4, 2014

Dear Mr. Sauer:

This letter is in response to your request that the Commission received on December 4, 2014 for documents under Missouri's Sunshine law. You have requested any and all documents and communications regarding (1) the total kilowatt hours of energy purchased by Ameren from Pioneer Prairie Wind Farm in 2012; (2) the total kilowatt hours of energy purchased by Ameren from Pioneer Prairie Wind Farm in 2013 (3) the total purchase price paid by Ameren for energy produced by Pioneer Prairie Wind Farm; (4) the total generational output from Pioneer Prairie Wind Farm supplied to Ameren Missouri customers for the CY 2012 as detailed in Section (7)(A)1C on page 6 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013; (5) the value of solar renewable energy credits Ameren Missouri received as a result of the production of solar energy at Ameren Missouri headquarters office building in St. Louis, Missouri as detailed in Section (7)(A)1D on page 8 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013; (6) the value of the renewable energy credits Ameren Missouri received in 2012 as a result of Ameren Missouri's Maryland Heights Renewable Energy Center as detailed in Section (7)(A)1D on page 8 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013; and (7) the value of the renewable energy credits Ameren Missouri carried forward for the Pioneer Prairie Facility as detailed in section (7)(A)1G on page 10 of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013. You have also requested a copy of the unredacted version of the Ameren Missouri Renewable Energy Standard Compliance Report 2012 dated April 15, 2013.



The information you seek was provided to the Commission by Ameren Missouri. Section 386.480, RSMo 2000 says that information obtained by the Commission from third parties, such as Ameren Missouri, cannot be released except on order of the Commission. Furthermore, Ameren Missouri classified the information it provided as highly confidential pursuant to Commission Rule 4 CSR 240-2.135, which restricts the dissemination of that information. I checked with legal counsel for Ameren Missouri and was informed that the information remains highly confidential. The Commission discussed your information request at its weekly agenda meeting on December 17, 2014 and declined to order that the information be released. Therefore, the Commission will not release the unredacted version of Ameren Missouri's Renewable Energy Standard Compliance Report 2012.

You also requested any other documents in the Commission's possession related to the redacted numbers in Ameren Missouri Renewable Energy Standard Compliance Report 2012. Any numbers obtained from the highly confidential information submitted by Ameren Missouri have been redacted from those documents.

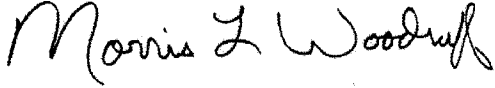
For the most part, the information you seek in your December 4 request is the same as the information you sought in an earlier sunshine request dated March 31, 2014. Consequently, I have once again attached the information the Commission provided in response to that request. Specifically, I have attached five documents (bates stamped 000001-000015 & 000024-000054) from Commission File Number EO-2013-0462, which was the file opened to consider Ameren Missouri's 2012 compliance report. These documents are available to the public in the Commission's electronic filing system (EFIS). I have also attached two pages from the FERC Form 1 filed by Ameren Missouri (bates stamped 000016-000017). This document contains public information about Pioneer Prairie Wind Farm that Ameren Missouri filed with FERC. The document is also available on the Commission's website. Finally, I have attached several e-mail exchanges between Commission employees regarding these matters (bates stamped 000018-000023). Highly confidential numbers have been redacted from these e-mails.

The one difference between your March 31, 2014 request and the December 4, 2014 request is that in the later request you also ask for "the total kilowatt hours of energy purchased by Ameren from Pioneer Prairie Wind Farm in 2013." Again that number was supplied to the Commission by Ameren and is highly confidential. Consequently, the Commission will not release that information to you. Since that number is for 2013, public information about that year can be found in Ameren Missouri's Renewable Energy Standard Compliance Report for 2013, which was filed with the Commission on April 15, 2014 in File No. EO-2014-0291. I have attached the non-proprietary version of that report (bates stamped 000055-000116). Other documents from that file are available to the public in EFIS.

Fred Sauer
December 17, 2014
Page 3

Having provided you with the documents responsive to your request that can be released, the Commission now considers this request closed. If you have any questions, please contact me.

Sincerely,

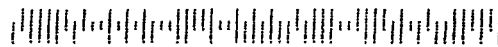
A handwritten signature in black ink, reading "Morris L. Woodruff". The signature is written in a cursive style with a large, stylized "M" and "W".

Morris L. Woodruff
Secretary of the Commission

Attachments

HEARNE & BENDICK LLC

ATTORNEYS AT LAW
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ST. LOUIS, MO 63105



ST LOUIS MO PADC 631

FRI 09 JAN 2015 PM

Mr. Kevin Thompson
Staff General Counsel
Missouri Public Service Commission
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Jefferson City, Mo. 65101

R E C E I V E

JAN 13 2015

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION