BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Union Electric Company d/b/a Ameren Missouri's 4th Filing to Implement Regulatory Changes in Furtherance of Energy Efficiency as Allowed by MEEIA.	))))	**File No. EO-2023-0136**

STAFF RESPONSE TO NON-UNANIMOUS STIPULATION AND AGREEMENT

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") and for its Response to the *Non-Unanimous Stipulation and Agreement Regarding the Implementation of Certain MEEIA 4 Programs Through Plan Year 2027, Motion for Expedited Treatment, and Request for Variances* respectfully states as follows:

1. Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company"), the Office of the Public Counsel ("OPC"), Renew Missouri Advocates d/b/a Renew Missouri ("Renew Missouri"), and Consumers Council (collectively "Signatories") filed a *Non-Unanimous Stipulation and Agreement Regarding the Implementation of Certain MEEIA 4 Programs Through Plan Year 2027, Motion for Expedited Treatment, and Request for Variances* ("Stipulation") on October 30, 2024. Staff was not a signatory to this Stipulation.

2. Commission Rule 20 CSR 4240-2.115(2)(B) provides parties who are not signatories seven (7) days from the filing of a stipulation and agreement to voice an objection.

3. Staff was not a signatory to the Stipulation due to concerns that were not addressed. While Staff was able to work with the parties during negotiations, and appreciates all of the work that all parties put into the settlement, not all of Staff's

concerns were able to be addressed within the stipulation. These concerns include, but are not limited to:

a) Lack of evidence that the Stipulation complies with the requirements of the Missouri Energy Efficiency Investment Act ("MEEIA") statute, specifically § 393.1075.4, RSMo, which requires that Ameren Missouri's demand-side management portfolio plan provide benefits to all customers in the customer class in which the programs are proposed, regardless of whether the programs are utilized by all customers;

b) Lack of evidence that the avoided cost assumptions are reasonable estimations of ratepayer benefits of avoided energy and demand;

c) Lack of evidence that Ameren Missouri's demand-side management ("DSM") portfolio values demand-side investments equal to traditional investments in supply and delivery infrastructure;

d) Lack of evidence that the programs in the DSM portfolio plan, and associated incremental energy and demand savings, demonstrate progress towards the goal of achieving all cost-effective demand-side savings;

e) Lack of process improvements for further MEEIA cycles, such as discrete modeling of cycles within Ameren Missouri's Integrated Resource Plan ("IRP");

f) Lack of evidence that Ameren Missouri's ratepayer are not shouldering a disproportionate amount of risk under this MEEIA cycle;

g) Lack of transparency regarding the Total Resource Manual ("TRM") and deemed savings table;

   i. Without sourced data links and deemed savings links to detailed savings information, Staff is not able to verify the reasonableness of the measures in the TRM or the deemed savings;

   ii. Staff is significantly concerned that the result of the Stipulation is that Ameren Missouri would retain unilateral control over the TRM, the measures included therein and the savings deemed as a result.

   iii. Staff observes an apparent inconsistency within the Stipulation in that Page 11 of the non-unanimous S&A states: "Ameren Missouri will remove measures from the TRM (any measures that are not included in the modeling for the programs above at minimum) (including removal of thermostat energy savings)". However, to Staff's knowledge, Ameren Missouri has not provided support for the new modeling associated with the values contained in Attachment B to the Stipulation.

   iv. The Stipulation further states on page 11 that, "Ameren Missouri will file the updated TRM in File No. EO-2023-0136." To date, Staff has not seen, and therefore not reviewed, the "updated TRM" that Ameren Missouri is to file in File No. EO-2023-0136.

h) Continued inclusion of lighting programs; and

i) Lack of progress on improving the quality of the tariffs governing the programs.

4. However, despite the concerns listed above from Staff, and in recognition of this Stipulation being a step in the right direction in regards to MEEIA compared to the originally filed application, Staff does not object.[1]

5. If Ameren Missouri decides to pursue another MEEIA cycle in the future, Staff hopes that its concerns listed above will be taken into consideration and addressed by a future MEEIA application, and that the work done here to improve the Company's MEEIA programs does not take a step backwards.

WHEREFORE Staff submits its Response to the *Non-Unanimous Stipulation and Agreement Regarding the Implementation of Certain MEEIA 4 Programs Through Plan Year 2027, Motion for Expedited Treatment, and Request for Variances* filed on October 30, 2024.

Respectfully submitted,

/s/ Travis J. Pringle
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ATTORNEYS FOR THE STAFF OF THE MISSOURI PUBLIC SERVICE COMMISSION

[1] In particular, Staff notes that the limitation of quantity and magnitude of programs eligible for throughput disincentive recovery generally addresses its concerns with the throughput mechanism.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all parties and/or counsel of record this 6th day of November 2024.

/s/ Travis J. Pringle