

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

In the Matter of the Application of Union     )  
Electric Company d/b/a Ameren Missouri     )  
for Approval of Decommissioning Cost     )  
Estimate for Callaway Energy and Funding     )  
Level of Nuclear Decommissioning Trust     )  
Fund     )

Case No. EO-2023-0448

**PUBLIC COUNSEL’S POSITIONS**

**COMES NOW** the Office of Public Counsel (“Public Counsel”) and states its positions on the listed issues as follows:

1. Uncontested Issues:

- a. What will it cost to decommission Ameren Missouri’s Callaway Unit 1 nuclear generating unit and Independent Spent Fuel Storage Installation sited at Ameren Missouri’s Callaway Energy Center at the end of Ameren Missouri’s current Callaway Unit 1 NRC license —October 18, 2044?

**Public Counsel’s position:** \$1,097,947,000 in 2023 dollars as of June 30, 2023, based on TLG Services, Inc.’s 2023 cost analysis of decommissioning the Callaway Energy Center Plant and ISFSI in 2044.

- b. What is the appropriate current annual amount for Ameren Missouri’s ratepayers to contribute to Ameren Missouri’s Callaway Energy Center Nuclear Decommissioning Trust Fund (inclusive of the Independent Spent Fuel Storage Installation) for that fund to have neither greater nor lesser than the amount necessary to carry out the decommissioning of Callaway Unit 1 and the Independent Spent Fuel Storage Installation at the end of the NRC Callaway Unit 1 license life—presently October 18, 2044?

**Public Counsel's position:** Because the fund balance as of June 30, 2023, was \$1,075,239,541.82<sup>1</sup>, and as of December 31, 2024, was \$1,342,170,136.43<sup>2</sup>; TLG Services, Inc.'s 2023 estimate to decommission Ameren Missouri's Callaway Energy Center in June of 2044 is \$1,097,947,000 in 2023 dollars; Ameren Missouri's current Callaway Unit 1 NRC license does not expire until October 18, 2044; and the Commission revisits Ameren Missouri's ratepayers' contribution levels every three years; Ameren Missouri's ratepayers' contributions should cease because not only is there now sufficient funds to decommission Ameren Missouri's Callaway Energy Center in 2044, there are also over nineteen years remaining before Ameren Missouri decommissions its Callaway Energy Center.

2. Contested Issues:

- a. Is it reasonable for the trustee to continue to maintain a trust fund asset allocation of 65% equities and 35% bonds when the trust balance is currently sufficient to cover the estimated decommissioning costs in the most recent triennial filing?

**Public Counsel's position:** The Commission need not decide this issue—its rule 20 CSR 4240-20.070(5)(E)3 prescribes that the book value of equity securities in the fund not exceed 65% of the fund's total book value; however, Public Counsel's position is "No." The actual fund corpus now is sufficient for the estimated cost to decommission Ameren Missouri's Callaway Energy Center in 2044. The trustee should be managing the fund to preserve the corpus of the fund so that it remains sufficient to decommission Ameren Missouri's Callaway Energy Center in 2044, not to grow it to exceed that decommissioning cost.

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<sup>1</sup> [June 2023 account summary by type 20230712095248\\_357935733.pdf](#); Amended Application p. 7, ¶ 15.

<sup>2</sup> [2024 Account Summary By Type.pdf](#).

- b. Is it reasonable for the Commission to approve a customer contribution cost trigger of \$50 million before the company can request to resume customer contributions to the fund in a future triennial filing?

**Public Counsel’s position:** The Commission need not decide this issue as the Commission is to review the appropriate customer contribution every three years regardless of what position on customer contributions Ameren Missouri or anyone else takes; however, Public Counsel’s position is “No.” TLG Services, Inc.’s 2023 estimate to decommission Ameren Missouri’s Callaway Energy Center in June of 2044 is \$1,097,947,000 in 2023 dollars. The fund balance as of June 30, 2023, was \$1,075,239,541.82<sup>3</sup>, and as of December 31, 2024, \$1,342,170,136.43.<sup>4</sup> Over nineteen years remain between now and October 18, 2044, when, as currently licensed, the total license life of Ameren Missouri’s Callaway Energy Center is sixty years. With the statutory goal expressed in § 393.292, RSMo, “The commission shall also have the authority . . . to ensure that the amounts collected from ratepayers and paid into such trust funds **will be neither greater nor lesser than** (Emphasis added.) the amounts necessary to carry out the purposes of the trusts,” ideally, the present fund balance would be close to two-thirds of the estimated cost to decommission Ameren Missouri’s Callaway Energy Center—\$732,000,000. Based on what is now known about the future, if prudently managed, there should be no future customer contributions and, in any event, if customer contributions were to be appropriate by when the Commission revisits the appropriate customer contribution level in the next triennial review, any trigger should be much closer to the fund balance being close to \$732,000,000, than a reduction in the fund balance of \$50,000,000.

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<sup>3</sup> [June 2023 account summary by type 20230712095248\\_357935733.pdf](#); Amended Application p. 7, ¶ 15.

<sup>4</sup> [2024 Account Summary By Type.pdf](#).

Respectfully,

/s/ Nathan Williams

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 18<sup>th</sup> day of April 2025.

/s/ Nathan Williams