

**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 Permission	)	
and Approval and Certificates of Public	)	
Convenience and Necessity Authorizing it to	)	File No. EA-2026-0183
Construct Renewable Generation Facilities and	)	
Battery Energy Storage Systems	)	

**REPLY OF NICOLE LYNN TROUT TO AMEREN MISSOURI'S OPPOSITION TO
THREE LATE-FILED INTERVENTION REQUESTS**

COMES NOW Nicole Lynn Trout, a resident of Lincoln County, Missouri, appearing pro se, and replies to Ameren Missouri's Opposition to Three Late-Filed Intervention Requests (the "Opposition," Item 69). Paragraph references to "my Motion" are to my Motion to Intervene Out of Time filed September 30, 2026 (Item 65). "Item" numbers refer to the Commission's electronic filing system for this case. In reply, I state:

I. I AM NOT AN ATTORNEY, AND I DO NOT HAVE ONE

1. I am a Lincoln County homeowner. I am not a lawyer, I have no legal training, and before this case I had never taken part in a proceeding before this Commission. I am doing my best to follow rules that were written for attorneys.

2. Every other participant in this case is represented by counsel. The Opposition is signed by three attorneys for Ameren Missouri. The Staff of the Commission, the Office of the Public Counsel, and Renew Missouri each appear through counsel.

3. Practice before this Commission is a specialized field. Lincoln County residents contacted at least fifteen attorneys and could not find one with experience before this Commission who was available to take this matter (my Motion, ¶ 16), and residents do not have the resources to retain specialized regulatory counsel. Residents also asked the Lincoln County Commission, more than once, to participate on the county's behalf. It has not. I am filing on my own because it is the only way left for a Lincoln County resident to be heard as a party. I respectfully ask the Commission to read my filings with that in mind.

II. THE OPPOSITION DOES NOT ACCURATELY DESCRIBE MY MOTION OR THE RECORD

4. The Opposition does not accurately describe the relief requested or the factual basis stated in my Motion, and it does not address several facts in the record that bear directly on my request. The specific paragraphs are identified below.

A. What my Motion asked for

5. My Motion did not seek intervention simply to object to the Non-Unanimous Stipulation and Agreement, as the Opposition suggests (Opposition ¶ 29). It sought limited party status concerning the Millcreek BESS Project and the Quinn Switching Station, including need, public interest, emergency response, fire protection, water, landowner notice, customer costs, and certificate conditions (my Motion, ¶¶ 22 to 25). The Stipulation became relevant because party status is necessary to exercise the right to object to a non-unanimous stipulation, so intervention was necessary to preserve a meaningful opportunity to be heard before the Commission acts on it. That does not make objection the sole purpose or scope of my request.

6. The Opposition quotes paragraph 6 of my Motion to argue that my interests are the same as the general public's (Opposition ¶ 23(a)). It leaves out the very next sentence of that paragraph: "No existing party to this proceeding resides in Lincoln County or represents the interests of its residents as such." The Opposition does not dispute that statement.

7. The Opposition also leaves out that my home is served by a private well (my Motion, ¶ 2), and that on September 21, 2026, the U.S. Army Corps of Engineers determined that two streams at the project site are waters of the United States and that flow leaves the site to the west via Mill Creek into the Cuivre River (my Motion, ¶ 4). It also leaves out that I live within the Northwest Fire Protection District, a volunteer district whose responders would be among the first called to an incident at the facility (my Motion, ¶ 3). Whether these facts satisfy the Commission's intervention standard is for the Commission to decide. They should not be reduced to the proposition that I am merely a member of the general public.

8. These are not abstract concerns for my family. We grow food in our garden, and our children play outside and run barefoot in our yard. We drink and cook with water from our own well. Lithium battery fires elsewhere have forced nearby residents to evacuate or shelter in place, including the 2024 lithium battery fire in Fredericktown, Missouri, which residents have

raised with Ameren Missouri in this case (Exhibit C, question 16). If a fire occurred at the Millcreek facility, the smoke would not stop at the property line, and whatever settled on our soil, our garden, and our yard, or reached our well, would stay with us. My interest is in the safety of my children, my home, my water, and the ground we live on.

B. The Public Counsel is not my attorney, and no party represents the host community

9. The parties to this case are Ameren Missouri, the applicant; the Staff of the Commission; the Office of the Public Counsel; and Renew Missouri, an advocacy organization. No party lives in Lincoln County, and no party will live near the facility, rely on a well near it, or be served by the volunteer fire district that would respond to it. The Public Counsel represents the general public, which in this case includes Ameren Missouri customers across the state. Those customers share an interest in the cost of the project. They do not share the host county's interest in where it is built, how a fire there would be fought, what smoke and gases from a fire would mean for the health of the families, children, and livestock living nearby, or what would happen to the water and land around it (see Exhibit D). When the interests of customers as a whole and the interests of the host community differ, the Public Counsel cannot fully represent both. That is the interest my Motion asks the Commission to allow me to present.

10. The Opposition treats my contact with the Public Counsel as proof that the Public Counsel represents me "as a matter of law" (Opposition ¶ 24). The contact shows the opposite. When residents sent the Public Counsel detailed written questions on September 14, 2026, the Public Counsel replied the next day that it could not raise new issues or file additional testimony at that stage of the case (my Motion, ¶ 15). I went to the Public Counsel first and was told it could not take up these concerns. Seeking intervention was the next step, not a duplicate of the first.

11. The Public Counsel is not my attorney. It does not take direction from me or from any Lincoln County resident, and it decides for itself what positions to take on behalf of the public as a whole. It told residents it could not raise new issues at that stage of the case.

12. The Public Counsel's representation is also not conclusive "as a matter of law." In the Everygy order the Opposition relies on, the Commission found that representation sufficient only "absent a showing to the contrary" (File No. EA-2026-0343, Order Regarding Intervention Requests, p. 3). That is a showing a resident may make, and my Motion and this Reply make it.

13. The Opposition points to the surrebuttal testimony of the Public Counsel's witness, Dr. Geoff Marke, about the Moscow Mills hearing as proof that residents' concerns have been represented (Opposition ¶ 24(b)). That testimony supports my Motion. Dr. Marke testified that "the public wants more information, they want to be heard, and they largely don't trust what they are being told." He testified that the environmental studies and battery safety information were made available "only much later in the process and after the public demanded it," and that "[n]o doubt more could be accomplished on the front end with proper notification and education to the public." He described the Company's answers about its additional land in Lincoln County as a "hide the ball" tactic, and testified that if this certificate is approved, "Lincoln County citizens should expect the solar investments to follow because the switchyard and batteries will already be there." (Surrebuttal Testimony of Geoff Marke, Item 51, pp. 10 to 11.)

14. The Public Counsel's own witness thus confirmed that residents were not properly notified, received safety and environmental information only after they demanded it, and want to be heard. He also recommended that the Commission "reject this application out-of-hand" (Item 51, p. 11). The Public Counsel then did not join the Stipulation, and it stated that its non-objection "does not constitute an agreement that these concerns have been satisfied or that they are illegitimate" (OPC Response, ¶ 8). I do not question the Public Counsel's decision, which it has explained. But as a result, the concerns Dr. Marke described are not being presented to the Commission as issues for decision by any party.

15. The Public Counsel's October 6, 2026 memorandum confirms the gap. It describes "strong local opposition to the Projects, in particular to the Millcreek Battery Energy Storage System project," reports that "[m]any customers expressed a feeling of being misled when they challenged Ameren Missouri over its long-term plans in Lincoln County," and lists residents' concerns about battery safety, water runoff, fires, property values, and local roads. It then states the Public Counsel's understanding that "these types of concerns do not typically affect the Commission's Tartan factor analysis, but they may form the basis of a potential prudence disallowance in a future rate case." (Memorandum of Geoff Marke and Jordan Seaver, October 6, 2026, attached to OPC Response, Item 68.) A future disallowance can protect customers from paying for an imprudent investment. It cannot protect the families who live near the site from a fire, a contaminated well, or a release of toxic gas. If the party the Opposition says represents me understands that residents' safety concerns will not be weighed in this case, then

no party is asking the Commission to weigh them. The same memorandum states that "honest and straight-forward answers that include additional publicly available information may help alleviate some of these concerns" (id.). That is what the alternative relief in this Reply asks the Commission to require.

16. Dr. Marke was also one of the people to whom residents sent the nearly 100 questions in Exhibit C, on October 5 and again on October 7, 2026 (Exhibit B). On October 7, 2026, I spoke with Dr. Marke about the questions. He and the Public Counsel's staff have been responsive and helpful to residents throughout this case, and I am grateful for that. But the questions are directed to Ameren Missouri, and only Ameren Missouri can answer them. As of the date of this Reply, no answers have been filed. The Public Counsel's role is to represent the public as a whole, not to act as counsel for individual residents, and it has told residents it could not raise new issues at this stage of the case. That is the difference between the help the Public Counsel has given and the party status I am requesting.

17. Finally, the Opposition uses the same contact against me twice: once to argue that the Public Counsel represents me (Opposition ¶ 24), and again to argue that I was monitoring the case and should have intervened sooner (Opposition ¶ 36). A resident who first tries every avenue short of intervention should not be faulted for having done so.

C. Residents could not have intervened on time

18. The Opposition states that none of the proposed intervenors claimed to be unaware of this proceeding "until the eve of filing" (Opposition ¶ 36). I never made that claim. My Motion states that I received no direct notice of Ameren Missouri's application and first learned of the project in mid-August 2026, about two months after the June 12, 2026 intervention deadline, and that before then I did not know what intervention was or that a deadline existed (my Motion, ¶ 10). The only customer emails in the record about this case were sent weeks after the deadline, did not name Lincoln County or the Millcreek site, and said nothing about the right to intervene (Exhibits E, E-1). They were notices of hearings, not notice of the application or of any opportunity to become a party. By the time I learned of this case, the deadline had passed and the Eolia hearing, the only hearing near the site that had been held, was already over. The identification of the Tesla Megapack 3 units and Ameren Missouri's own environmental studies and fire safety information entered the record after the deadline, while the fire protection

materials in the record address Megapack 2 and 2XL units (my Motion, ¶¶ 13 and 14). The Opposition does not identify anything in my Motion showing that I knew of this proceeding before the intervention deadline.

19. The Opposition's own timeline shows why residents could not have intervened on time (Opposition ¶¶ 2 to 11). The Commission's press release announcing the intervention deadline was issued May 29, 2026, fourteen days before the June 12 deadline (Opposition ¶ 3). The notice order directed copies to the Lincoln County Commission and to the media, not to residents or neighboring landowners (Opposition ¶ 2). Renew Missouri, an organization represented by counsel, filed on the last day of that window (Opposition ¶ 4). The local public hearings were not scheduled until July 14, 2026, more than a month after the deadline (Opposition ¶ 5). The first hearing near the site was held at noon on Tuesday, July 28, in Eolia, Pike County, 46 days after the deadline. It was the only hearing in the original schedule set during the workday, at a time the parties proposed; every other hearing, in person in Vandalia and Advance and the virtual hearing on July 29, began at 6:00 p.m. (Item 27, ¶ 6; Order Setting Local Public Hearings, ¶¶ 6, 7). The only hearing in Lincoln County was not added until August 7 and was held August 26, 75 days after the deadline (Opposition ¶¶ 7, 8, 11).

20. The only direct notice to customers I have found in this record came after the intervention deadline, and it was notice of the hearings, not of the right to intervene. On July 10, 2026, four weeks after the deadline, the parties jointly asked the Commission to order Ameren Missouri to notify customers of the local public hearings "by email and/or text message," only those customers "who have consented to receive such communication," and "no later than 3 days prior to the LPHs" (Joint Motion to Set Local Public Hearings, Direct Notice, and Motion for Expedited Treatment, Item 27, ¶ 7). The joint motion did not request mailed notice to landowners or residents near the Millcreek site. The parties first raised "proper customer notice" on June 29, 2026, seventeen days after the intervention deadline had passed (Item 27, ¶ 2). The same joint motion explained that the hearings were requested "so that all Parties and the Commission may hear from affected landowners and interested individuals," and "[s]o that the greatest number of individuals have the opportunity to attend" (Item 27, ¶ 5).

21. A copy of the email Ameren Missouri sent under that order is attached as Exhibit E. It was sent July 21, 2026, at 7:16 p.m., one week before the Eolia hearing and thirty-nine days

after the intervention deadline. Its subject line was "Notice of Public Hearings." The body is three sentences. It does not name Lincoln County, the Millcreek site, or the location of any of the facilities. It does not state the date, time, or place of any hearing. It does not mention that the facilities include lithium-ion battery storage near any customer's home. For hearing information, it directed the reader to a link. The email was not directed to residents near the Millcreek site; it was sent generally to Ameren Missouri customers who had opted in to electronic messages, including customers in other counties (see Item 27, ¶ 7). It said nothing about the right to intervene, which had already expired.

22. The Commission later added a separate hearing in Moscow Mills, the only hearing held in Lincoln County (Item 34). Ameren Missouri's customer email for that hearing was sent August 20, 2026, at 7:30 p.m., six days before it was held. A copy is attached as Exhibit E-1. Although this notice concerned a single hearing added for the county where the Millcreek facility would be built, it used nearly the same words as the July email. It does not name Moscow Mills, Lincoln County, or the Millcreek site. It does not state the date, time, or place of the hearing. It again directed readers to a link.

23. The Opposition says the intervention deadline was "appropriately set," that the Commission "publicized" it, and that Renew Missouri "met that deadline" (Opposition ¶ 35). I respectfully disagree that fourteen days was a fair opportunity for the people who live near this facility. Renew Missouri is an advocacy organization represented by counsel that appears before this Commission regularly. It knew what this Commission is, what intervention is, and how to file. The residents of Lincoln County did not. Most of us had never heard of the Public Service Commission. We did not know that a member of the public could ask to become a party, let alone that the chance to do so would open and close in fourteen days. We had no attorney, and our County Commission, which received the Commission's notice (Opposition ¶ 2), did not participate on our behalf. The parties' request for direct notice did not ask for mailed notice, and the only direct notice in the record went out weeks after the deadline without naming Lincoln County (Exhibits E, E-1).

24. A deadline can be valid under the Commission's rules and still not give the people most affected a real chance to meet it. That is my position, and it is why I ask the Commission to

find good cause here. Comparing me to an organization whose attorneys know this process does not show that the residents of Lincoln County had a fair opportunity. It shows that they did not.

25. The Opposition also confirms that Ameren Missouri did not file its environmental studies and fire safety information for the Millcreek site until August 21, 2026, and that it did so primarily in response to questions raised at the July hearings (Opposition ¶ 9). Residents were expected to decide whether to seek party status 70 days before Ameren Missouri itself concluded the public needed that information.

D. Hearings and comments have not produced answers

26. The Opposition describes "five public hearings in total, including two in-person LPHs held in the Project area" (Opposition ¶ 33(a)). That count does not reflect what was available to Lincoln County residents. Of the four hearings the parties originally proposed and the Commission set, only one was near the Millcreek site: Eolia, in Pike County, at noon on a Tuesday (Item 27, ¶ 6). The Vandalia and Advance hearings were held in other counties, and the fourth hearing was virtual. Lincoln County, where the facility would be built, had no hearing at all until the Commission added one in Moscow Mills in August, after residents had raised their concerns at the July hearings (Opposition ¶¶ 8, 9). Every one of the five hearings was held after the intervention deadline had passed. And Ameren Missouri's emailed notices of the hearings, including the one for the Lincoln County hearing, did not name Lincoln County, the Millcreek site, or the place, date, or time of any hearing (Exhibits E, E-1).

27. The Opposition points out that each of us filed public comments (Opposition ¶ 13(a) to (c)) and that approximately 308 comments had been filed as of October 2, 2026 (Opposition ¶ 13). That is true, and it is the point. The Commission notices the Opposition quotes explain that citizen emails are placed in the case file, where they "can be reviewed" by Staff and the Public Counsel, who "may investigate" them and "may proceed as they see fit" (Opposition ¶¶ 10, 12). The July 30, 2026 notice records that one of those emails "requested additional information regarding the application and the Commission's processes" (Opposition ¶ 10). Nothing in that process requires anyone to answer a resident's question. A public comment lets a resident be heard. It does not get her an answer, and it does not give her the right to object to the Stipulation. Only party status does that.

28. The Opposition says my participation would give the Commission "no information it could otherwise receive" through the local public hearings, written comments, or the Public Counsel (Opposition ¶ 33). There is one kind of information the Commission does not have and cannot get through any of those channels: Ameren Missouri's answers. Residents have asked nearly 100 questions about safety, health, water, land, notice, and cost (Exhibit C). Comments, hearings, and the Public Counsel's testimony have carried those questions to the Commission. Residents' written questions have not been answered by Ameren Missouri on the record. The Public Counsel's own witness described the Company's answers at the Moscow Mills hearing about its additional land in Lincoln County as a "hide the ball" tactic (Item 51, p. 10).

29. The Opposition calls the hearing schedule "accessible" (Opposition ¶ 33(a)). Residents did attend, testify, and comment, as the Opposition notes. That shows how much they want to be heard. It does not show they have been answered, and it does not give any of them the right to object to a Stipulation that would decide the facilities proposed in their community.

30. The agreement in principle resolved all contested issues (Opposition ¶ 14) because no party was contesting the issues Lincoln County residents have raised. The Public Counsel, which the Opposition says represents residents, did not join the agreement. It said only that it would not object (Opposition ¶¶ 14, 15). That is the gap my Motion asks the Commission to fill.

E. My participation would not harm the public interest

31. The Opposition says the public interest would be "affirmatively harmed" by my participation (Opposition ¶ 27). Every harm it names falls on the Company or the schedule: complexity, delay, and that granting intervention "would prejudice the Company" (Opposition ¶¶ 28, 32). It does not mention the people who live near the Millcreek site at all.

32. Those people are the public whose interest is at stake. They live within reach of a proposed lithium-ion battery facility. My home relies on a private well, and the Army Corps of Engineers has found that water leaves the site through Mill Creek into the Cuivre River. The first responders to a fire there would be a volunteer fire protection district. Residents have asked what gases a battery fire would release, how far they would travel, what would happen to their wells, and who would pay for the harm (Exhibit C). Dr. C. Michael Hogan, a physicist who has followed battery storage fires and their effects for years, has stated that a fire at the Millcreek

facility could injure Lincoln County residents within a fifteen-mile radius, that toxic hydrogen fluoride is a common emission of battery plant fires, and that heavy metals released in a fire could leave nearby farmland unusable for up to a century. He has asked the Commission to require independent baseline testing of soil, surface water, and groundwater before construction and public monitoring afterward, and he has stated that he is willing to testify under oath (Exhibit D). These are serious warnings from a person with relevant expertise, and they deserve the Commission's careful attention before it acts. No existing party has presented them to the Commission, and no one has answered them, or any of residents' questions, on the record. Weighed against the health and safety of the host community, a short delay in a utility's schedule is not a harm to the public interest.

33. The delay is also minor, by Ameren Missouri's own account. Ameren Missouri asked the Commission to rule by November 30, 2026 (Item 27, ¶ 1), and has told Lincoln County that the project would not begin serving customers until 2028 (Exhibit A). The evidentiary hearing was not cancelled because of anything residents did. It was cancelled on Ameren Missouri's own motion on September 21, 2026, nine days before I filed my Motion (Opposition ¶ 14). My Motion is limited to the Millcreek BESS Project and the Quinn Switching Station, accepts the record as it stands, and seeks no discovery, testimony, reopening of the record, or continuance (my Motion, ¶¶ 21 to 23). I asked for expedited treatment so the Commission could decide my Motion before acting on the Stipulation "without reopening the evidentiary record or delaying the existing proceedings" (my Motion, ¶ 27). The alternative relief I request, written answers to residents' questions filed on the record, requires no hearing at all. The Public Counsel's own witness testified that "[e]ven postponing the investment for a couple of years would almost certainly result in lower upfront costs" (Item 51, p. 8).

34. The Opposition argues that an objection would turn the Stipulation into a position of the signatories and leave all issues for hearing (Opposition ¶ 30). My Motion asks for participation limited to two facilities in Lincoln County, and the Commission may limit my participation to those issues.

35. Ameren Missouri has asked for the same thing it now opposes. When new information entered this case, Ameren Missouri asked the Commission for time to respond, arguing that it "should be given a full and fair opportunity, consistent with fundamental notions

of fair play and Due Process, to respond" (Item 53, ¶ 8). Lincoln County residents ask for no more than that.

36. Ameren Missouri has also said, in its own words, that it wants exactly what my Motion offers. Its vice president told Lincoln County that Ameren Missouri "genuinely want[s] your feedback" and that "being transparent, open and honest about how we are meeting those needs is more critical today than ever before" (Exhibit A). The parties asked for local public hearings "so that all Parties and the Commission may hear from affected landowners and interested individuals" (Item 27, ¶ 5). Ameren Missouri told the Commission it filed its environmental studies and fire safety information because "additional information about the Millcreek BESS Project may be beneficial for the Commission, the parties, local officials, emergency responders, and members of the public" (Opposition ¶ 9). If hearing from the affected public and giving it information serves the public interest, it does not become a harm when a resident asks to be heard as a party.

37. The Opposition also says my interests are "the same interests that Staff and OPC routinely litigate" (Opposition ¶ 28). If they were being litigated, the record would show it. The Stipulation resolved "all contested issues" (Opposition ¶ 14), the Public Counsel did not join it, and the questions residents submitted remain unanswered (Exhibit C).

F. Location and landowner notice

38. The Opposition points out that none of the proposed intervenors is an adjoining landowner (Opposition ¶ 26). The landowners nearest the site are the people whose notice Ameren Missouri has not shown on the record (see paragraph 46 below). The Opposition's own example, the ATXI case, shows that the Commission can grant intervention limited to a particular interest (Opposition ¶ 26). That is the kind of limited intervention my Motion requests.

G. The Evergy order supports my Motion

39. The Opposition relies on the Commission's September 29, 2026 order in the Evergy case, File No. EA-2026-0343 (Opposition ¶¶ 17, 37). Read in full, that order supports my Motion.

40. The rule has two independent grounds. The Commission may grant intervention if the movant's interest differs from the general public's, "or" if intervention "would serve the

public interest" (20 CSR 4240-2.075(3); Evergy Order, p. 2). The Evergy order addressed each ground separately. My Motion relies on both.

41. The Evergy order found that intervention would not "further serve the public interest beyond" the other opportunities residents still had: public comments "at any time throughout this case," a local public hearing the Commission "may also set," and an amicus curiae brief (Evergy Order, p. 3). That order was issued September 29, 2026, less than a month after the application was filed on August 31, 2026, before any local public hearing had been set (Evergy Order, p. 1). Those opportunities were still ahead of the Evergy residents. In this case they are behind me. Every local public hearing has been held, the evidentiary hearing has been cancelled, and a Stipulation is before the Commission. The reasons the Commission gave for finding no public interest in Evergy do not exist here.

42. The intervention window in the Evergy case was about the same length as in this case. The Commission's press release in Evergy issued September 3, 2026, fourteen days before the September 17 deadline; here, the press release issued May 29, 2026, fourteen days before the June 12 deadline (Opposition ¶ 3). In that same length of time, sixteen Evergy residents applied on time (Evergy Order, p. 2), and the Commission treated the volume of filings as showing the public had been adequately notified (Evergy Order, p. 3). Here, the Opposition identifies only one timely application, Renew Missouri's (Opposition ¶ 4). The first Notice of Extra Record Communication it cites concerns citizen emails received July 29, 2026, after the first local public hearing and after the intervention deadline (Opposition ¶ 10). Measured the way the Commission measured it in Evergy, the record here shows that notice did not reach Lincoln County residents in time.

43. The Evergy residents lived near a proposed natural gas generating plant in Buchanan County. The battery storage project in that case was in a different county, Jasper County (Evergy Order, pp. 1 to 2). No resident's request in Evergy concerned a battery energy storage facility. My Motion concerns the Millcreek lithium-ion battery facility and its fire, emergency response, and water issues.

44. The Opposition calls the Evergy requests "landowner requests" (Opposition ¶ 17), then argues that my request fails because I am not an adjoining landowner (Opposition ¶ 26).

The Evergy order does not describe the applicants as landowners. It describes them as "members of the general public near the proposed generation facility location" (Evergy Order, p. 2).

45. The Evergy order does not reflect that any applicant limited the request to specific facilities, accepted the record, or asked for no discovery, testimony, or continuance. My Motion did all of these.

H. Questions the Opposition does not address

46. The Opposition does not address the question of landowner notice for the Quinn Switching Station under 20 CSR 4240-20.045(6)(K), or the absence of a recorded deed to Ameren Missouri for the Millcreek site, or my request that Ameren Missouri file its proof of landowner notice and identify each parcel and its present interest in each (my Motion, ¶¶ 19 and 20, and WHEREFORE ¶ 4).

47. Much of the record on which the Stipulation rests is not available to residents. Ameren Missouri's Application was filed in public and highly confidential versions (Item 2), and Ameren Missouri filed a Motion for Protective Order and a Designation of Confidential Information the same day (Items 3, 4). The Commission granted the protective order on July 8, 2026 (Item 26). At least eighteen filings in this case were made in confidential or highly confidential versions, including the direct testimony of Robert B. Dixon, filed in a "Highly Confidential Highly Sensitive" version (Item 5); the direct testimony of Scott Wibbenmeyer, with schedules SW-D1 through SW-D16 filed as highly confidential in six separate filings (Items 11, 13 to 18); the Staff Rebuttal Report (Item 37); and the rebuttal and surrebuttal testimony of the Public Counsel's own witnesses (Items 38, 39, 52). Access to that information is available to parties, not to members of the public. As a non-party, I cannot review the full basis for the Stipulation the Commission is being asked to approve. The Opposition says residents have been heard through public comment, but residents cannot comment meaningfully on information they are not permitted to see.

III. AMEREN MISSOURI PROMISED TRANSPARENCY. RESIDENTS HAVE NOT RECEIVED IT.

48. In August 2026, the Lincoln County Journal published a column titled "From Ameren: The Millcreek Energy Center and Missouri's Energy Future," submitted by Rob Dixon, Ameren Missouri's vice president of regulatory and legislative affairs. The column was originally

dated August 21, 2026. After residents told the Journal that a link in the column was not working, the Journal edited the online column, and it now bears the date August 20, 2026 and a different web address. In the column, Mr. Dixon wrote that Ameren "genuinely want[s] your feedback," that "being transparent, open and honest about how we are meeting those needs is more critical today than ever before," and he invited residents to email connect@millcreekenergycenter.com. The column as it appeared on October 7, 2026 is attached as Exhibit A, and as it appeared on September 22, 2026 as Exhibit A-1.

49. The same column describes the site as "Ameren Missouri-owned property." As stated in my Motion, county records show a purchase agreement memorandum covering the parent parcel and no recorded deed conveying the site to Ameren Missouri (my Motion, ¶ 19).

50. The column also states: "This project is not a data center. It is not being built to attract a data center." The record contains evidence that warrants clarification of that statement. Ameren Missouri's own witness testified that the Company changed its preferred resource plan in part because it "had experienced a surge in interest from [large load customers] locating in Ameren Missouri's service territory and had signed construction agreements relating to over two gigawatts of new load." Staff stated that its "finding of need . . . depends principally upon whether the large loads projected by Ameren Missouri are sufficiently likely to materialize." The Public Counsel states its belief that "only a single specific need exists to build these Projects now," namely meeting the generation needs and clean energy goals of the large load customers that Ameren Missouri says intend to locate in its service territory. (OPC Response, Item 68, ¶ 6, quoting Michels Direct, Item 8, p. 3, and Staff Rebuttal Report, Item 37, pp. 3 to 4.) Whether or not a data center is ever built on the Millcreek site, residents were told this project has nothing to do with data centers, while the record shows that the need for it rests principally on large load customers. Residents should be able to receive a clear and consistent explanation of what this facility is being built for, and they cannot evaluate that explanation when much of the record is sealed.

51. Mr. Dixon's column also speaks to this concern. In it, he wrote that a friend had told him "the larger a proposed development project is, the fewer details seem to be available to the public," that "too often now, it feels like a shell game," and that "[s]adly, I couldn't necessarily disagree" (Exhibit A). Three months before that column was published, Mr. Dixon

filed his direct testimony in this case in two versions: one public, and one designated "Highly Confidential Highly Sensitive" (Item 5). Residents cannot see what that version of his testimony contains. They took him at his word, sent their questions to the address he published, and have received no answers.

52. Residents did exactly what Ameren Missouri asked. On October 5, 2026, I emailed nearly 100 questions submitted by Lincoln County residents through a public form, together with the statement of physicist Dr. C. Michael Hogan, to Ameren Missouri's counsel of record, Staff counsel, the Public Counsel, the Lincoln County Commission and Lincoln County Emergency Management. The questions were also submitted as public comment in this case. I asked Ameren Missouri to confirm receipt and to respond on the record by October 19, 2026. On October 7, 2026, I followed up, this time also copying connect@millcreekenergycenter.com, the address Ameren Missouri itself published. As of the date of this Reply, no one has filed answers to them, and Ameren Missouri has not confirmed receiving them. The emails are attached as Exhibit B, the resident questions as Exhibit C, and Dr. Hogan's statement as Exhibit D.

53. Residents have also asked the Lincoln County Commission, at its regular meetings for more than a month, to participate in this case on the county's behalf. At those meetings, with Ameren Missouri representatives present, residents asked that an additional public meeting be held in the evening, because the County Commission's regular meetings are held during the workday, when many residents cannot attend. As of the date of this Reply, no additional meeting has been scheduled. Residents are still learning of the project for the first time.

54. The Opposition tells the Commission that residents have been heard through public comment, local public hearings, and the Public Counsel. Residents have used every one of those avenues, and the one Ameren Missouri invited in its own column. Their questions have not been answered. I do not suggest that Ameren Missouri is legally required to answer every public comment. I raise this because the Opposition tells the Commission that residents have meaningful avenues to raise their concerns, while residents have used those avenues and are still waiting for answers to basic questions about a facility proposed in their community. That is why I am asking to be a party.

IV. THE COMMISSION SHOULD RULE ON THE MOTION ACTUALLY FILED

55. I did not ignore this case and then decide to intervene late. I learned about it after the deadline, tried the avenues available to a non-party, sought help from private attorneys and from the Public Counsel, and filed my Motion when I understood that intervention was the only way left for me to participate with the procedural rights of a party. I now ask for narrowly limited party status without reopening the case. I did not ask to reopen discovery or the evidentiary record, I did not request a continuance, and I did not cause the evidentiary hearing to be vacated.

56. The question before the Commission is not whether every member of the public should receive party status. It is whether limited intervention out of time should be granted to a Lincoln County resident who lives about five miles from the proposed facility, relies on a private well, lives within the fire protection district that would respond to an emergency there, is an Ameren Missouri customer, and seeks to address issues of particular concern to the host county that no other party is raising on her behalf. I am not asking the Commission to create a general exception to its intervention deadline; I am asking the Commission to find good cause based on the particular circumstances presented in this record. Ameren Missouri is entitled to oppose my Motion. I ask only that the Commission consider the Motion as actually filed.

V. RELIEF REQUESTED

WHEREFORE, I respectfully request that the Commission issue an order:

- (1) granting my Motion to Intervene Out of Time, limited as set out in that Motion;
- (2) in the alternative, before acting on the Non-Unanimous Stipulation and Agreement, directing Ameren Missouri to file on the record in this case written responses to the resident questions in Exhibit C and to the statement of Dr. C. Michael Hogan in Exhibit D;
- (3) in the further alternative, if intervention is denied, granting me leave to file an amicus curiae brief addressing the Non-Unanimous Stipulation and Agreement under 20 CSR 4240-2.075(11), as the Commission described in File No. EA-2026-0343;
- (4) taking notice of Exhibits A through E-1; and
- (5) granting such other relief as is just.

Respectfully submitted,



Nicole Lynn Trout, pro se
6261 Highway K
Troy, Missouri 63379
636-388-3753
nicoletrout02@gmail.com

Dated: October 7, 2026

EXHIBITS

- Exhibit A: "From Ameren: The Millcreek Energy Center and Missouri's Energy Future," Lincoln County Journal, as printed from the Journal's website on October 7, 2026, when it bore the date August 20, 2026.
- Exhibit A-1: The same column as printed from the Journal's website on September 22, 2026, when it bore the date August 21, 2026 and a different web address.
- Exhibit B: Email of October 5, 2026, "EA-2026-0183: Resident Questions for Ameren and Statement of Dr. C. Michael Hogan," and follow-up email of October 7, 2026.
- Exhibit C: Resident Questions for Ameren, PSC Case EA-2026-0183.
- Exhibit D: Statement of Dr. C. Michael Hogan, EA-2026-0183, signed October 4, 2026.
- Exhibit E: Email from Ameren Missouri, "Notice of Public Hearings," July 21, 2026, 7:16 p.m. (recipient's name and address redacted).
- Exhibit E-1: Email from Ameren Missouri, "Notice of Local Public Hearing for Battery and Solar Facilities," August 20, 2026, 7:30 p.m. (recipient's address redacted).

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail on October 7, 2026 upon all counsel of record reflected on the Commission's official service list in File No. EA-2026-0183.



Nicole Lynn Trout

EXHIBIT A

"From Ameren: The Millcreek Energy Center and Missouri's Energy Future," Lincoln County Journal, as printed from the Journal's website on October 7, 2026, when it bore the date August 20, 2026.

File No. EA-2026-0183, Reply of Nicole Lynn Trout



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From Ameren: The Millcreek Energy Center and Missouri's Energy Future

AUGUST 20, 2026 / FREE, NEWS, NEWSLETTER EARLY WEEK



A computer generated-image of the Battery Energy Storage System Ameren Missouri is proposing to build south of Whiteside in Lincoln County. (Image courtesy of Ameren)

Editor's Note: The following column was submitted by Rob Dixon, a vice-president for Ameren, regarding the proposed Millcreek Energy Center and the proposed Battery Energy Storage Systems (BESS). The Public Service Commission is hosting a public meeting Wednesday at 6 p.m. in Moscow Mills on the project.

By Rob Dixon

I was having coffee with a friend recently and, like many people, he expressed some frustration that the larger a proposed development project is, the fewer details seem to be available to the public. He lamented the fact that companies used to be proud of and transparent about the investments they were making in a community. But too often now, it feels like a shell game. Sadly, I couldn't necessarily disagree.

That conversation also shapes how Ameren goes about communicating our proposed upgrades to the electric grid, including a battery storage facility that we are seeking to build on 12 acres of Ameren Missouri-owned property west of Highway 61 and just south of Tickridge Road. We've created a website just for the project at [Ameren.com/Millcreek](https://www.ameren.com/millcreek) and genuinely want your feedback about the energy center.

This spring, Lincoln County residents saw firsthand how important a resilient electric system is when severe weather moved through the area and an EF1 tornado touched down near Troy. Since 2019, Ameren Missouri has completed about 175 reliability projects in the region designed to reduce outages and improve service. Those investments have helped prevent storm-related outages, improve restoration capabilities and strengthen the electric system for customers.

In May, we asked state regulators at the Missouri Public Service Commission for approval to build this battery storage facility. The public filing, which is available on the Commission's website, details how the project will improve reliability by helping keep power available when customers need it most by safely storing electricity and delivering it almost instantaneously back to the grid when demand is high or to combat extreme weather. If approved, the project could begin serving customers in 2028.

Lincoln County homes, schools, farms and businesses depend on electricity every hour of every day, including during periods of high demand and extreme weather. The battery storage facility at Millcreek will safely keep power at the ready and help ensure customers in Lincoln County and the surrounding areas have their power needs met, even during the most challenging demands on the grid.

The battery facility would be built on 12 acres, with an additional 12 acres used for a substation and switching equipment. More than 200 acres would remain largely undeveloped to provide a buffer for neighbors. These battery systems do not generate waste, odor, emissions or other byproducts. Built-in safety features and emergency plans are designed to protect both the community and the environment.

Just as important as what this proposed facility is, is what this development isn't. This project is not a data center. It is not being built to attract a data center. It is being built for Ameren Missouri customers so they can have access to safe and reliable electricity.

Like my father, brother and wife's late grandfather, I am a proud employee of Ameren Missouri. Our company has served customers in Missouri for more than 100 years, and we will serve Lincoln County for generations to come. Many Ameren Missouri employees

live and work in Lincoln County and nearby communities, too. My late mother- and father-in-law called Troy home. This is a community we care about.

As energy use continues to grow, Ameren Missouri is planning the resources needed to maintain reliable electric service. But we also know that being transparent, open and honest about how we are meeting those needs is more critical today than ever before.

That's why we encourage you to visit the project's website, send us an email at connect@millcreekenergycenter.com or give us a call at (877) 456-1535. Lastly, thank you for the opportunity to provide power to you, your neighbors and your family for the past 100 years.

Rob Dixon serves as Ameren Missouri's vice president of regulatory and legislative affairs. Before joining Ameren Missouri, he was the director of the Missouri Department of Economic Development and a veteran of the U.S. Marine Corps.

✦✦ Use AI to search The Lincoln County Journal

Is?

✦ What happens if Millcreek's battery fails?

✦ Who benefits most

Tags

Ameren

Millcreek Energy Center

Public Service Commission

Rob Dixon



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NEXT POST

Water disconnect policy scrutinized following death of elderly man



Around the Web

REVCONTENT

EXHIBIT A-1

The same column as printed from the Journal's website on September 22, 2026, when it bore the date August 21, 2026 and a different web address.

File No. EA-2026-0183, Reply of Nicole Lynn Trout

From Ameren: The Millcreek Energy Center and Missouri's Energy Future

AUGUST 21, 2026 FREE, NEWS, NEWSLETTER EARLY WEEK

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Rob Dixon serves as Ameren Missouri's vice president of regulatory and legislative affairs. Before joining Ameren Missouri, he was the director of the Missouri Department of Economic Development and a veteran of the U.S. Marine Corps.

EXHIBIT B

Email of October 5, 2026, "EA-2026-0183: Resident Questions for Ameren and Statement of Dr. C. Michael Hogan," and follow-up email of October 7, 2026.

File No. EA-2026-0183, Reply of Nicole Lynn Trout

Message 1

From: Nicole Trout <nicoletrout02@gmail.com>

Date: Monday, October 5, 2026, 3:00 PM (Central)

To: amerenmoservice@ameren.com; jgrubbs@ameren.com; lowery@jblawllc.com; opcservice@opc.mo.gov; lindsay.vangerpen@opc.mo.gov; geoff.marke@opc.mo.gov; staffcounsellservice@psc.mo.gov; paul.graham@psc.mo.gov; paul.amenthor@psc.mo.gov; pscinfo@psc.mo.gov; jkaimann@lincolncomo.gov; mbass@lincolncomo.gov; mmueller@lincolncomo.gov; qlaws@cityoftroymissouri.com

Cc: marygeeding@gmail.com; alignedmommas@gmail.com

Subject: EA-2026-0183: Resident Questions for Ameren and Statement of Dr. C. Michael Hogan

Attachments: Resident_Questions_for_Ameren_October_5_2026.pdf; Statement of Dr. C. Michael Hogan, EA-2026-0183.pdf

Good afternoon,

We are writing on behalf of residents of Lincoln County regarding Ameren Missouri's proposed Millcreek Battery Energy Storage System, PSC File No. EA-2026-0183.

Residents of Lincoln County are upset. Many feel they have had no voice in this case, because they were never given a meaningful opportunity to intervene, and many feel their questions about this project have gone unanswered.

To give residents a way to be heard, we opened a public Google form and invited Lincoln County residents to submit their questions. The attached PDF contains nearly 100 questions submitted directly from residents.

Also attached is a statement from physicist Dr. C. Michael Hogan regarding the Millcreek BESS project.

We respectfully ask that Ameren:

1. Confirm receipt of this email, the resident questions, and Dr. Hogan's statement.
2. Provide a written response to the resident questions and to Dr. Hogan's statement by October 19, 2026.
3. File these questions, Dr. Hogan's statement, and its responses in File No. EA-2026-0183 so they are part of the public record.

We also respectfully ask the Commission to keep this case open and to refrain from ruling on the Stipulation and Agreement until Ameren has filed its responses and Lincoln County residents have had a reasonable opportunity to review them and respond.

The people who will live close to this facility deserve answers on the record. Thank you for your attention to this matter.

Respectfully,

Concerned Residents of Lincoln County, Missouri

Message 2

From: Nicole Trout <nicolet trout02@gmail.com>

Date: Wednesday, October 7, 2026, 2:25 PM (Central)

To: amerenmoservice@ameren.com; jgrubbs@ameren.com; lowery@jblawllc.com; opcservice@opc.mo.gov; lindsay.vangerpen@opc.mo.gov; geoff.marke@opc.mo.gov; staffcounsellservice@psc.mo.gov; paul.graham@psc.mo.gov; paul.amenthor@psc.mo.gov; pscinfo@psc.mo.gov; jkaimann@lincolncomo.gov; mbass@lincolncomo.gov; mmueller@lincolncomo.gov; qlaws@cityoftroymissouri.com; connect@millcreekenergycenter.com

Cc: marygeeding@gmail.com; alignedmommamas@gmail.com

Subject: Re: EA-2026-0183: Resident Questions for Ameren and Statement of Dr. C. Michael Hogan

Attachments: Resident_Questions_for_Ameren_October_5_2026.pdf; Statement of Dr. C. Michael Hogan, EA-2026-0183 and Affidavit.pdf

Good afternoon,

I haven't yet heard back from anyone. I would like to confirm receipt of this email and request a response to the questions the public has submitted.

Thank you,

Nicole Trout

[The message quoted the October 5, 2026 email above in full.]

EXHIBIT C

Resident Questions for Ameren, PSC Case EA-2026-0183.

File No. EA-2026-0183, Reply of Nicole Lynn Trout

Resident Questions for Ameren

PSC Case EA-2026-0183, Millcreek BESS, Lincoln County, Missouri

Residents of Lincoln County and surrounding communities request that the following questions be entered into the record of PSC Case EA-2026-0183. Because residents have not been able to intervene in this case and have had no formal voice in it, we ask the Commission to require Ameren Missouri to provide written responses to each question, filed on the record.

These questions were collected through a public Google Form shared with the community between October 1, 2026 and October 5, 2026. Eighteen residents submitted questions. All questions below were submitted by residents. Spelling and grammar have been corrected for clarity, but the substance and tone of each question are unchanged.

Questions

1. What specific, documented customer or grid needs require this project?
2. If the need for this extra energy storage and future solar farms are not based on an established/data proven need of Lincoln and Pike Counties, why must we bear the burden of the environmental impact to our homes?
3. What will this project cost Ameren customers?
4. Will residents, county, or ratepayers be responsible for any future cleanup, fire response, decommissioning or environmental costs?
5. What specific, measurable benefits will Lincoln County residents receive?
6. What is the emergency plan if one or more BESS units catch fire? Please describe all emergency plans in place.
7. Which specific battery will be used for Millcreek? (Please include SDS)
8. What independent, third-party testing has been performed on the exact battery system proposed for Millcreek?
9. Will Ameren provide residents the complete fire and thermal-runaway testing reports?
10. What toxic gases or hazardous substances could be released during a battery fire? How far-reaching could toxic gases or hazardous substances end up? (please provide radius)
11. In the event of a battery fire at the BESS facility, will the toxic fumes negatively affect my health in any way? If so, will AMEREN be financially responsible for any medical costs directly related to the inhalation of toxic fumes?
12. Which local fire departments will respond, and who pays for their specialized training, equipment and protective gear?
13. Who pays for cleanup following a major battery fire or hazardous release?
14. Are you aware that bald eagles and an endangered bat species reside on/around Millcreek?

15. Please read this report from physicist Dr. Michael Hogan:
https://drive.google.com/file/d/1TDRXUaN5jFLFuaS_TWPIAxXmQbDSyjlR/view?usp=sharing. Can you respond to each section?
16. Fredericktown Missouri recently (2024) had a lithium battery plant fire that forced evacuations and burned for over several days. What safeguards will protect the citizens, wildlife and livestock from the damaging effects of a chemical fire that requires special equipment and chemicals to extinguish such fires?
[\[https://www.nfpa.org/news-blogs-and-articles/blogs/2024/11/01/missouri-battery-plant-fire\]](https://www.nfpa.org/news-blogs-and-articles/blogs/2024/11/01/missouri-battery-plant-fire)
17. If a fire or explosion occurs, how long is the fire expected to burn before it self-consumes? How far could smoke, particulates, and other particles spread? (Please provide the radius.)
18. What actions are actively being implemented to prevent the same disaster that the California Moss Landing BESS project has created in California?
19. Why say you'll have a 30,000 gallon water tank available on site for a BESS fire when in a sentence later you admit water cannot extinguish a fire of this type?
20. If firefighters spray other batteries surrounding a battery on fire, due to the permeability of the ground, will this contaminate local wells and the aquifer below?
21. If a BESS fire should spread to neighboring homes, and there is fire damage to a home, farmland (crops), or a medical emergency and/or death to persons or livestock, will AMEREN be financially responsible for any and all costs directly related to the BESS battery fire?
22. What responsibility does Ameren hold/have in case of an equipment malfunction?
23. Will Ameren be held financially accountable for the damage to the water, land, animals and humans who will be affected by the disaster that will result from the BESS system fires?
24. Who will bear the financial burden of relocating the residents and businesses if there were to be a failure at the BESS facility or any other facilities in the future?
25. If there were a catastrophic failure that required people abandoning homes unable to ever return, who would pay for losses, relocation, belongings, etc?
26. In the event of a BESS fire emergency and/or evacuation, will AMEREN be financially responsible to provide shelter for all homeowners affected, until it's deemed safe for us to return home?
27. In the event of a BESS fire emergency and/or evacuation, will AMEREN be financially responsible for safely removing all livestock and securing a safe enclosed pasture, and shelter for any and all farm animals that may be affected?
28. The AMEREN proposed BESS facility is in very close proximity to two Conservation Areas. If a BESS fire spreads to these wooded areas, it's going to be very difficult to control. If it should destroy any part of these public lands will AMEREN be financially responsible for reforestation? And if Ameren, then will it be ratepayers?
29. Will the BESS facility negatively affect my well (pump) and/or the quality and volume of my water in ANY way? e.g. toxins, cloudy, dirty, low volume or no volume. If so, will AMEREN be financially responsible for the repair and or replacement of a

well that may run dry, low, or be damaged due to low underground water volume within a 10 mile radius of the BESS facility?

30. If well water quality is affected with toxins or excessive debris due to the construction and operation of the BESS facility, will AMEREN be financially responsible to provide sufficient clean water for drinking, bathing, and cooking, for as long as needed, for any homeowner on a well who is affected, within a 10 mile radius?
31. Who is going to pay for all residents to have water wells tested prior to BESS being developed to establish a baseline for potential water table contamination?
32. What plan is in place for water for all area residents if/when the water table is compromised or contaminated?
33. Who would be paying for any water contamination, soil contamination, and air contamination and is there a plan for these disasters?
34. Where are the safeguards for our water?
35. What will happen to contaminated firefighting water if it leaves the facility?
36. Where will stormwater and runoff go during a major rainfall event?
37. What wetlands, streams, drainage areas and flood-prone areas could be affected?
38. What endangered or threatened species surveys have been completed?
39. Where are the independent studies regarding the impacts on wildlife and habitats?
40. Who will monitor environmental impacts during construction and operation?
41. What are the short and long term environmental impacts?
42. Won't building these 2 sites cause MORE pollution and introduce new hazardous materials into our environment?
43. What alternative locations did Ameren evaluate?
44. Why was productive Lincoln County land selected instead of an existing energy site or brownfield?
45. Knowing that you prefer to use existing utility sites or brownfields - why do you need our beautiful countryside, farmland and watershed for your EA 2026 0183?
46. What independent studies verify that this specific location is necessary?
47. Where is your proof that this particular area at this specific time is the only location suitable for your project?
48. Where is the proof that it must be this area?
49. Why should irreplaceable farmland and rural land be permanently altered for this facility?
50. Why waste and ruin all this farmland? Take your data center somewhere else.
51. Why not clear abandoned buildings, etc. for your data centers instead of homesteads that have been in families for generations?
52. It was proposed in Elsberry schools to offer the roofs as a potential site for solar panels. We were told it would be "too expensive". How is buying farmland, hundreds of yards of concrete and fencing LESS than a donated space.
53. What guarantees exist that the site will be completely restored when the facility is retired?
54. Who pays if actual decommissioning and cleanup costs exceed Ameren's estimate?
55. Will Ameren provide a legally enforceable financial guarantee for decommissioning?
56. What is the decommissioning guarantee and plan?

57. Will my property lose value if it is within a 15 mile radius of a BESS facility? If a homeowner gets a reasonable appraisal of their home and property before, and then within 6 months after the BESS facility is built, and their property loses value that is directly, and only related to being in close proximity to the BESS facility, will AMEREN be financially responsible for paying the difference between the before and after appraisal for our property if we decide to sell?
58. Who supplements lost property values to homeowners upon sale of property or loss of farm income due to these projects during and after project completion?
59. Will our homeowners insurance be increased if we live near a BESS facility? If so, is AMEREN prepared to pay the difference?
60. How many long term jobs will this create for residents of Lincoln county? I am meaning a career of 30 years plus.
61. As well, how much manpower in the construction trades will be employed during the building of this project?
62. Is Ameren considering additional solar or battery development on or near this property?
63. Will approval of EA-2026-0183 be used to support future expansion? If so, what would the maximum potential footprint be?
64. Why change the name from calling it a solar farm to now a BESS?
65. Why the secrecy?
66. Why closed door meetings with our commissioners?
67. How have/are nearby residents informed and consulted with?
68. What's the proposed timeline for construction beginning to end?
69. I have clearly stated that I oppose EA-2026-0183. What will Ameren specifically do to address the safety, environmental, financial and land-use concerns I have raised?
70. Why did you choose such an inefficient way to store electricity by solar panel?
71. Why did you not choose a more effective way through other means? Seems that the solar panels are inefficient, not worth their time and dangerous.
72. Would you like living 200 yards from a data center? Why or why not?
73. With all honesty, would you place the BESS battery farm (or data center) on the same block next to your home?
74. Residents want regional ground and well testing within 15 miles of the BESS farm prior to operations, will Ameren cover this?
75. Will Ameren provide protective face masks for each household within 5 miles in the event a fire/explosion occurs?
76. What are your plans for the nearly 1,600 acres near Millcreek you have under contract?
77. For the land Ameren has under contract in and around Millcreek, were those landowners told at signing that the property could be used for a battery storage facility? Or were they told it would be a solar farm or something else? Please provide the dates those agreements were signed and the project description each landowner was given in writing.
78. Has Ameren received any tax benefits for Millcreek?
79. Why is the safety report dated after the evidentiary hearings?

80. Do you own the land for Millcreek BESS?
81. Do you think it's right that Ameren purchases local land at 1.5-2x market value? Are the ratepayers covering this?
82. How will real estate be affected within three miles of the BESS facility?
83. Please list all communications Ameren provided to residents neighboring the property AND within 1 mile of Millcreek?
84. What is your opinion: is it ethical that locals were prevented from intervening in the Millcreek PSC case, since intervening had expired 45 days PRIOR to Ameren's first public meeting.
85. Would you be open to residents intervening in the PSC case so that they have a voice in the case?
86. Ameren website promotes three Community Benefits: reliability, revenue, jobs: <https://www.ameren.com/reliability/generation/millcreek>. Please explain each benefit in detail.
87. Your own witness testified that Ameren rewrote its resource plan in February 2025 because data centers asked to connect, and every chart you filed showing a power shortage assumes those data centers are there (Michels Direct, pp. 4, 9, 12 fn.15). If this project exists to serve private data center companies, explain how it is fair and in the public interest for Lincoln County residents to give up our land and for ratepayers to risk higher bills to serve them. Please prove it with documents, not projections: show who benefits and who pays.
88. Is it true that the first public meeting Lincoln County residents had on this project was held on a Tuesday at noon, when most working people could not attend? If so, why was that time chosen? Were any evening, weekend, or virtual options offered to Lincoln County, as were offered in other counties?
89. Is it true that other battery projects in this same filing are planned on existing utility sites or brownfields? If so, why is Millcreek the exception? What other sites did Ameren evaluate for the Millcreek battery facility, and why was each one rejected? Please name the specific factors, such as cost, grid connection, land availability, or other criteria, that led Ameren to choose farmland in Lincoln County over those alternatives. Please provide your site selection study in writing.
90. Tornadoes have struck in and near Lincoln County. What wind speed and tornado rating are the Millcreek battery units and their enclosures designed to withstand? Please give the exact engineering standard they are built to, and provide the documentation in writing.
91. If a tornado damages or overturns battery units, what specific safety systems prevent a fire, a chemical release, or debris from spreading to nearby homes, wells, and farmland? Who responds, how fast, and who pays for the cleanup and any damage to neighboring property?
92. If this facility were proposed in a city with planning and zoning, such as Chesterfield, what permits, public hearings, studies, and surveys would Ameren be required to complete before building it? Please list each one, including fire and hazard studies, emergency response plans, setbacks, noise, stormwater and erosion plans, environmental and wildlife surveys, and decommissioning bonds. Lincoln County

residents do not have those protections in place. What is the bare minimum Ameren is legally required to do for Millcreek, and what has Ameren done above that bare minimum to protect the residents living around it? Please provide documentation in writing.

93. Will herbicides be sprayed on the gravel pad and site? If so, which products, how often, and how close to ditches, creeks, ponds, and private wells?
94. If a battery container catches fire, where does the water used to fight it go? Is there a lined basin or shutoff valve to hold contaminated water on site, or does drainage flow straight to neighboring land and waterways?
95. What fire suppression agents will be used at the site, and will any firefighting foam used there be PFAS-free? Who pays for well and soil testing for nearby homes after a fire?
96. The battery units use a liquid coolant. How much is stored on site, what is in it, and how would a leak be detected, contained, and reported to neighbors?

EXHIBIT D

Statement of Dr. C. Michael Hogan, EA-2026-0183, signed October 4,
2026.

File No. EA-2026-0183, Reply of Nicole Lynn Trout

Before the Missouri Public Service Commission

In the Matter of the Application of Union Electric Company d/b/a Ameren Missouri for Permission and Approval and Certificates of Public Convenience and Necessity Authorizing it to Construct Renewable Generation Facilities and Battery Energy Storage Systems. File No. EA-2026-0183.

Statement of Dr. C. Michael Hogan Regarding the Proposed Millcreek Battery Energy Storage System, Lincoln County, Missouri

My background

I'm a physicist, and I've spent my career measuring what big industrial projects do to the air, the water and the land around them.

- I hold a B.S. from Princeton University and a Ph.D. from Stanford University.
- In my early career I was project manager for development of the NASA Apollo heat shield and was project manager for the CIA in developing the first U.S. real-time satellite surveillance system.
- I have taught graduate-level courses at Santa Clara University and the University of California, Davis.
- At ESL Inc. in Sunnyvale, California, I developed one of the first roadway air pollution dispersion models in the late 1960s. The U.S. EPA funded its validation, and citizen groups used it successfully in federal court to challenge highway projects.
- I founded and led Earth Metrics Inc. from 1974 to 1992, which conducted environmental research for the U.S. EPA, FAA, U.S. Army Corps of Engineers, USGS and over 30 state agencies.
- I served on the Editorial Board and Stewardship Committee of the Encyclopedia of Earth, including serving as Editor-in-Chief from 2014 to 2016.
- I have been a California Registered Environmental Assessor (#0209) and founder and chairman of the California Arts and Sciences Institute.
- I have authored over 1,210 scientific books and peer-reviewed articles in atmospheric physics, terrestrial ecosystems and U.S. energy policy.
- I developed the first statistical model for meteorological prediction of thermal pollution from nuclear power plants for the U.S. EPA.
- I developed the first pesticide runoff model for the U.S. EPA's Southeast Water Laboratory, and wrote on the environmental impacts of agriculture for the Cengage Encyclopedia.
- I performed acoustical analyses for eight major U.S. airports for the FAA.
- See my full resume here: <https://casicalifornia.org/speakers/c-michael-hogan-phd/>

The case of Moss Landing

- I've been following this for years. I'm connected with agencies, with scientists, and with the grassroots people who live with this every day.
- I have followed the Vistra Moss Landing facility since 2022.
- Agencies I have worked or communicated with include the U.S. EPA, U.S. DOT, FAA, twelve different state highway departments, U.S. Army Corps of Engineers, HUD and eight major U.S. airports.
- I am an independent scientist. I have performed scientific analyses for over 300 community groups and more than 30 citizen groups throughout the USA.
- On October 8, 2025, I presented a public briefing in Monterey, California, on the toxic aftermath of the January 16, 2025 fire for people, animals and soils.
- I've laid this out publicly, including what these plants release when they burn and why the damage to people and land lasts long after the fire is out. You can watch my February 28, 2026 interview on the California Insider podcast here: <https://www.youtube.com/watch?v=HXxZM2mizsg>
- On September 18, 2026, the burned remains of the same facility caught fire again, more than 18 months after the original fire, and residents were again ordered to shelter in place.

What I have found

Not everything is being reported. That's the bottom line, and I keep seeing it over and over.

1. There's no central database. Nobody is pulling the soil, water, air, health and death data together in one place. Every agency has a piece, and no one has the whole picture.
2. The reporting isn't happening. A lot of what we know about Moss Landing came from residents and university researchers who went out and did the testing themselves.
3. What's happening to the soil is much more significant than what's being shown, or even being reported. Even in the scant data reported on the Moss Landing lithium-ion battery plant explosion, we have data that shows toxic cobalt levels increased one-thousand-fold over background levels. These carcinogenic levels of cobalt are readily taken up by berries, corn and beans.
4. It is likely that an explosion will occur and the Millcreek facility will explode at some point in its life. Moss Landing alone has exploded and caught fire again and again: in 2021, in 2022, in January 2025, and again in September 2026, more than a year and a half after the first big explosion.
5. This isn't just Moss Landing. It's happening around the world:
 - a. South Korea: 28 fires broke out at energy storage facilities between August 2017 and October 2019. The government's own investigators found that units exposed to moisture and dust were more prone to fire, because condensation and dust wear down the components over time (South Korea Ministry of Trade, Industry and Energy investigations).

- b. Arizona: In April 2019, the McMicken battery facility exploded about two hours after firefighters arrived. Eight firefighters and a police officer were hospitalized (McMicken Battery Energy Storage System Event Technical Analysis, 2020).
- c. Australia: In July 2021, a Tesla Megapack, the same product line planned for Millcreek, caught fire during testing at the Victorian Big Battery and spread to the unit next to it. Investigators traced it to a coolant leak that caused a short circuit, and the fire wasn't declared under control until three days later (Energy Safe Victoria, Statement of Findings, September 2021).
- d. In California, eight different lithium-ion battery plants exploded with massive fires and toxic plumes in the year 2025 alone.

So when anyone says the damage was limited, my question is: limited compared to what? You can't report what nobody is measuring.

Reporting of health effects and deaths

- In the Moss Landing plant explosion, hundreds of people within a fifteen-mile radius were hospitalized or reported health effects from pulmonary, eye and skin damage. The coroner was ordered by certain politicians not to complete a full report on deaths, but only to report on deaths within a few hundred feet of the plant.

What a fire at Millcreek could mean for Lincoln County

- Using plume height data from recent battery plant fires, along with hospital records and citizen injury reports, I conclude that a fire at Millcreek could injure thousands of Lincoln County residents, generally within a fifteen-mile radius of the plant.
- The most significant injuries are to the lungs, and they often happen to people with no pre-existing conditions. Toxic hydrogen fluoride is a common emission of battery plant fires. Some of these short-term injuries can be expected to end in death, based on what coroner records show at other sites.
- Here is the part that worries me most. Nobody is tracking what happens to these people. Coroners in many places are instructed not to count deaths unless the body is found very close to the plant. Many residents move away because of the risk of another fire, and those who stay are rarely followed up on, so their outcomes depend on voluntary reporting. When someone says the harm was limited, I ask: limited compared to what? You can't report what nobody is measuring.
- I would not ask Ameren to assume the risk is small. I would ask the Commission to require a plan, before approval, for everyone within fifteen miles.

Why this matters for Millcreek

- If nobody is measuring the damage, nobody can stand in front of this Commission and say the risk is acceptable.

- Ameren carries the burden of proving the project is needed and in the public interest. Without complete data on what battery fires do to soil, water and people, that burden cannot be met on the risk side.
- Ameren points to newer battery chemistry and outdoor units. Those are design differences. They do not answer what happens to the land and the people nearby if an explosive fire does occur, or who will measure it.
- Moss Landing shows a fire can return long after the first event, and that cleanup can stretch on for years.
- Humidity is a known fire risk for these systems. Lincoln County has hot, humid summers. Ameren should have to show how this facility will hold up in that environment over its entire life. It is well known that such high ambient temperatures and high humidity are key causal factors in lithium-ion battery plant explosions.
- Tornadoes have touched down in the vicinity of the proposed site, including an F2-intensity tornado in 2006 that destroyed buildings in the area between Olney and Silex. Ameren should have to show what happens if a tornado or its debris strikes a battery facility, a hazard that UL 9540A testing is not designed to assess.
- The Millcreek site is on greenfield farmland in Lincoln County, a county with no planning and zoning. Farmland within a fifteen-mile radius of the Millcreek plant is likely to be contaminated by toxic heavy metals and other chemicals in the event of an explosion. Many of these chemicals, such as cobalt, nickel and manganese, are typically resident for a century; moreover, the very crops grown nearby readily take up these toxins into their edible components, and thus farmlands within a fifteen-mile radius are at severe risk. If a fire is likely over the life of this facility, then the Commission has to plan for what happens to Lincoln County when it does, not just hope it won't.

What I ask the Commission to do

I ask the Commission to withhold approval of the Millcreek BESS until the following are in place:

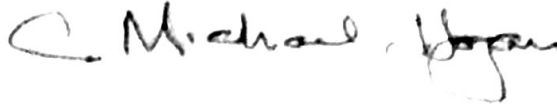
1. Independent baseline testing of soil, surface water and groundwater around the site before any construction.
2. Required ongoing monitoring, with results reported publicly in one place.
3. A written plan for testing and reporting soil, water, air and health impacts after any fire or release, paid for by Ameren.
4. Instructions to hospitals and coroners that they must compile full injury and death lists within fifteen miles, and continue to monitor delayed cancer deaths that result when carcinogenic particulates damage lungs and can cause death over a twenty-year period after an explosion.
5. Moreover, I recommend no approval of any BESS plant in an area such as the Millcreek location due to the large number of people that could be impacted and the massive amount of farmland that could become unusable for up to a century.

Willingness to testify

I'm willing to testify under oath about the contents of this statement and to answer questions about my background and how I reached the above conclusions.

The statements above are true and correct to the best of my knowledge and belief.

Dr. C. Michael Hogan
P.O. Box 221692
Carmel, CA 93922
cmhphysicist@gmail.com

A handwritten signature in black ink that reads "C. Michael Hogan". The signature is written in a cursive style with a large, stylized "C" at the beginning.

October 4, 2026

EXHIBIT E

Email from Ameren Missouri, "Notice of Public Hearings," July 21, 2026, 7:16 p.m. (recipient's name and address redacted).

File No. EA-2026-0183, Reply of Nicole Lynn Trout

Fwd: Notice of Public Hearings

1 message

To: Nicolettrout02@gmail.com

Tue, Sep 22, 2026 at 11:30 AM

----- Forwarded message -----

From: **Ameren** <do-not-reply@alerts.ameren.com>

Date: Tue, Jul 21, 2026 at 7:16 PM

Subject: Notice of Public Hearings

To: [REDACTED]



[Log In to Your Account](#)

Notice of Public Hearings

Local public hearings for three new battery energy storage systems, two new solar generation facilities, and a new switching station for Ameren Missouri will take place soon. See dates, times, locations, and login information [here](#).

If you have any questions, please [contact us](#).

Thank you,

Ameren Missouri Customer Service

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Please do not reply to this message.

Ameren will never contact you by email asking you to validate your personal information such as your UserID, password or account numbers. If you receive such a request please [contact us](#).

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EXHIBIT E-1

Email from Ameren Missouri, "Notice of Local Public Hearing for Battery and Solar Facilities," August 20, 2026, 7:30 p.m. (recipient's address redacted).

File No. EA-2026-0183, Reply of Nicole Lynn Trout

----- Forwarded message -----

From: **Ameren** <do-not-reply@alerts.ameren.com>

Date: Thu, Aug 20, 2026, 7:30 PM

Subject: Notice of Local Public Hearing for Battery and Solar Facilities

To: [REDACTED]



[Log In to Your Account](#)

Notice of Local Public Hearing

A local public hearing for three new battery energy storage systems, two new solar generation facilities, and a new switching station for Ameren Missouri will take place soon. See date, time, and location information [here](#).

If you have any questions, please [contact us](#).

Thank you,
Ameren Missouri Customer Service

[Manage your communication preferences](#)

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