STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Ameren Illinois Company d/b/a Ameren Illinois	)	
Petition for Approval of Tariffs Associated with The Small Volume Transportation Program	)	Docket No. 14-0097

THE ILLINOIS COMPETITIVE ENERGY ASSOCIATION AND THE RETAIL ENERGY SUPPLY ASSOCIATION RESPONSE TO AMEREN ILLINOIS COMPANY'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL DIRECT TESTIMONY AND PROPOSED PROCEDURAL SCHEDULE

The Illinois Competitive Energy Association ("ICEA") and the Retail Energy Supply Association ("RESA")[1], by and through one of their attorneys, Gerard T. Fox, pursuant to 83 Illinois Admin. Code Section 200.190, hereby responds to the Motion for Leave to File Supplemental Direct Testimony and Proposed Procedural Schedule (the "Motion") filed by Ameren Illinois Company d/b/a Ameren Illinois' ("Ameren") on April 28, 2014, in this proceeding. The Motion should be denied for the following reasons.[2]

[1] RESA's members include AEP Energy, Inc.; Champion Energy Services, LLC; ConEdison *Solutions*; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; GDF SUEZ Energy Resources NA, Inc.; Homefield Energy; IDT Energy, Inc., Integrys Energy Services, Inc.; Interstate Gas Supply, Inc. d/b/a IGS Energy; Just Energy; Liberty Power; MC Squared Energy Services, LLC; Mint Energy, LLC; NextEra Energy Services; Noble Americas Energy Solutions LLC; NRG, Inc.; PPL EnergyPlus, LLC; Stream Energy; TransCanada Power Marketing Ltd.; and TriEagle Energy, L.P.. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

[2] To the extent the Motion proposed a procedural schedule, that part of the Motion is essentially moot as the Administrative Law Judge on April 30, 2014, set a schedule for briefing on the Motion and a status hearing subsequent to completion of briefing on the Motion.

The Motion is defective. 83 Ill. Admin. Code Section 200.190 (d) provides that "Motions based on matter which does not appear of record shall be supported by affidavit." However, the only facts that are supported by an evidentiary record are that the SVT Program will cost approximately $10.6 million (Ameren Ex. 26.0, p. 29, in Docket 13-0392, as cited on page 2 of the Motion) and that the SVT Program will be in place by the fourth quarter of 2014 (Ameren Ex. 13.0, p. 3, in Docket 13-0392, as cited on page 2 of the Motion). These facts from the evidentiary record in Docket 13-0392 are followed by statements that Ameren now anticipates that the "SVT Program cost will exceed $34 million" and that the full roll out of the SVT Program is not expected until "late 2016 at the earliest". (Motion, p. 2) These statements are not supported by an affidavit, but by a verification from Mr. Eric Dearmont, one of Ameren's in-house counsel.

The lack of any supporting facts in the Motion and the fact that the Motion is not supported by an affidavit of an Ameren employee or employees with knowledge about the more than tripling of the cost of the SVT Program and a time delay of a minimum of two years make it virtually impossible to provide a meaningful response to the Motion and do not provide any basis for granting the Motion. Moreover, the situation is aggravated because Ameren basically refuses to provide information regarding either the new cost of the SVT Program or the time delay claiming that such information is "irrelevant" because the Motion has not been granted yet (see Ameren's responses to ICEA/RESA Data Requests Nos. 2.04 and 2.05 (attached hereto as Attachment A).

The Motion also includes a request that the Commission enter an interim order and "provide further direction confirming whether AIC should proceed with the SVT Program in light of these circumstances". (Motion, p. 2) Presumably, "these circumstances" refer to

Ameren's new cost estimate and new estimate regarding implementation timing. ICEA and RESA object to this request for the following reasons. The Commission concluded in its Order in Docket 13-0192 that it was in the public interest to approve an SVT Program for Ameren, subject to Ameren's filing SVT tariffs in this proceeding. (Order, p. 246) The Commission also found in that Order that matters resolved in that Order should not be revisited in this tariff proceeding. (*Id.*) Thus, the Commission has already directed Ameren to implement the SVT Program and Ameren's request to revisit this issue is not within the scope of this SVT tariff proceeding, as decided by the Commission's Order in Docket 13-0392.

Moreover, the cost of the SVT Program is outside the scope of this proceeding. This proceeding is not a rate case, nor is it a reconciliation case. Ameren is currently recovering through rates the cost of the SVT Program based on its evidence in Docket 13-0192. The Commission cannot increase rates in this SVT tariff proceeding, nor can it guarantee Ameren recovery of any increased costs in this proceeding. These matters would need to be addressed in a general rate increase proceeding.

With respect to time required to implement the SVT Program, assuming that Ameren's time estimates can be justified, there is nothing in the Commission's Order to suggest that its decision that a SVT Program would be beneficial for Ameren's customers would change because implementation may take longer than Ameren originally determined. Note that ICEA's and RESA's position may have been different had the Motion attempted to explain the reason for the revised estimate regarding timing of implementation.

WHEREFORE, for the foregoing reasons, ICEA and RESA request that the Commission deny Ameren's Motion.

Dated: May 16, 2014

Respectfully submitted,

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Illinois Competitive Energy Association

Retail Energy Supply Association

By: /s/GERARD T. FOX
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NOTICE OF FILING

Please take note that on May 16, 2014, I caused to be filed via e-docket with the Chief Clerk of the Illinois Commerce Commission, the attached Response of the Illinois Competitive Energy Association and the Retail Energy Supply Association to Ameren's Motion for Leave to File Supplemental Direct Testimony and Proposed Procedural Schedule in this proceeding.

Dated: May 16, 2014

/s/GERARD T. FOX
Gerard T. Fox

CERTIFICATE OF SERVICE

I, Gerard T. Fox, certify that I caused to be served copies of the foregoing Response of the Illinois Competitive Energy Association and the Retail Energy Supply Association to Ameren's Motion for Leave to File Supplemental Direct Testimony and Proposed Procedural Schedule upon the parties on the service list maintained on the Illinois Commerce Commission's eDocket system for the instant docket via electronic delivery on May 16, 2014.

/s/ GERARD T. FOX
Gerard T. Fox

ILL. C. C. DOCKET 14-0097
ICEA/RESA RESPONSE TO AMEREN MOTION
ATTACHMENT A

AMEREN RESPONSES TO ICEA DATA REQUEST NOS. 2.04 AND 2.05

Ameren Illinois Company's
Response to ICEA and RESA Data Requests
Docket No. 14-0097
Petition for Approval of Tariffs Associated with the
Small Volume Transportation Program
Data Request Response Date: 5/8/2014

ICEA-RESA 2.04

Please provide a reconciliation of the $34 million to the $10.6 million cited in Ameren Exhibit 26 in Ill. C. C. Docket 13-0192.

RESPONSE

Objection. The request calls for the preparation of a special exhibit. No such reconciliation exists and accordingly there is no data to produce. Further, the Company has yet to complete supplemental direct testimony pending the grant of its motion. Therefore, the information requested is irrelevant at this time.

Any concerns regarding this objection should be directed to counsel for the Company.

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ICEA-RESA 2.05

On page 2, paragraph 4, of the Motion, Ameren states that while certain operations-related functionalities tied to the SVT Program will be in place by the fourth quarter of 2014, "remaining systems required to enable the full roll out of the Program are not expected until late 2016 at the earliest". Please provide all studies, reports, analyses, work papers and any other documents supporting the statement that full roll out is not expected until late 2016 at the earliest.

RESPONSE

Prepared By: Barbara J. Bouvatte
Title: Program Management Consultant III
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Objection. The request is irrelevant pending the grant of AIC's motion. The request is also overly broad, requiring voluminous material that would require in excess of 7 days to fully produce.

Any concerns regarding this objection should be directed to counsel for the Company.

Subject to the above objection, please see the response below:

ICEA-RESA 2.05 Attach has the projected rollout of the SVT program as of April/2014.