

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

In the Matter of the Application of Ameren            )  
Transmission Company of Illinois for a            )  
Certificate of Public Convenience and            )  
Necessity to Construct, Install, Own, Operate,    )  
Maintain, and Otherwise Control and Manage    ) Case No. EA-2021-0087  
a 138 kV Transmission Line and associated        )  
facilities in Perry and Cape Girardeau            )  
Counties, Missouri                                    )

**MOTION FOR WAIVER OF THE 180-DAY DEADLINE IN 20 CSR 4240-4.017(1)**

COMES NOW Ameren Transmission Company of Illinois (“ATXI”) and, in accordance with 20 CSR 4240-4.017(1)(D), moves for waiver of the 180-day filing requirement in 20 CSR 4240-4.017(1) and requests that the Commission allow it an additional 45 days to file its application for a Certificate of Convenience and Necessity (“CCN”). In support of its Motion, ATXI states as follows:

1. On September 25, 2020, ATXI filed its Notice of Intended Case Filing (“Notice”) in the above-styled matter to receive a CCN to construct, own, and operate a 138 kV transmission line and associated facilities (the “Project”) in Perry and Cape Girardeau Counties. In order to obtain a CCN, 20 CSR 4240-4.017(1) requires that ATXI file its application within 180 days of filing its Notice (March 24, 2021).

2. Subparagraph (D) of the same regulation states that a “party may request a waiver of this section for good cause.” Under that subparagraph, good cause for waiver can include, “among other things... that circumstances prevented filing the required notice.” *Id.* While this, and the other examples of “good cause” involve situations where the applicant is requesting *less* time than the minimum of 60-days’ notice, the through-line for what is considered “good cause” is that

the resultant change will not prejudice individuals involved and/or that circumstances justify the change.

3. ATXI is seeking this waiver for several reasons. First, ATXI has been delayed in planning and community outreach by the ongoing COVID-19 epidemic and the related limits on public outreach and on-site visits to the contemplated routes for the Project. ATXI has worked diligently to ensure that it maintains its high standards for community involvement and pre-construction planning even in light of the health crisis. As a result, it has taken more time to ensure that there is robust public participation through its various virtual, telephonic, and mailed forms of correspondence.

4. Additionally, ATXI is limited in how it can schedule site visits due to restrictions on in-person meetings. This has delayed ATXI's ability to review and plan on-location. Specifically, ATXI is seeking a waiver so that it can confirm the viability of certain potential routes and to continue working with landowners to identify acceptable alternative routes. Rather than rush to filing an application, ATXI would like more time to finalize its proposed route.

5. ATXI is seeking a waiver rather than filing a new Notice, not only for its benefit, but for the public at large who have been monitoring this case number. As a part of ATXI's community outreach efforts, it has been informing the public of this case number and its activities before the Commission. It makes more sense for ATXI to continue pursuing its CCN through this docket rather than opening a new docket and risk losing touch with individuals who only know of this case number.

6. Finally, ATXI suggests that a waiver is more appropriate than filing a new Notice because ATXI estimates it will be ready to file within 45 days. Filing a new Notice would delay

filing for 60 days, and would require ATXI to duplicate its ongoing efforts to educate and inform the community about this Project.

7. This request will not prejudice the Commission or interested members of the public because ATXI is actually seeking more time, rather than less, to consider public opinion and perform community outreach. ATXI will continue to abide by the prohibition on communications with the Office of the Commission regarding the merits of this case during the extension period. Further, because ATXI is only asking for an additional 45 days to file while it actively works on outreach and planning, there is no material risk that the public will lose track of this project over this expanded timeframe. Therefore, good cause exists to waive the 180-day deadline and to keep this case open so that ATXI may file its application by May 10, 2021.

WHEREFORE, ATXI respectfully requests the Commission waive the 20 CSR 4240-4.017(1) requirement that ATXI file its application by March 24, 2021 and allow ATXI to file its application in this case by May 10, 2021.

Respectfully submitted,

/s/ Frank A. Caro, Jr.

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ATTORNEYS FOR AMEREN TRANSMISSION  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon the parties listed below by email or U.S. mail, postage prepaid, this 10<sup>th</sup> day of March, 2021.

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*/s/ Frank A. Caro, Jr.*  
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