



October 2, 2020

Ms. Elizabeth Rolando, Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

**Re: Ameren Illinois Company d/b/a Ameren Illinois
Notification of 5% threshold, as defined in Ameren Illinois' Rider NM- Net
Metering, Electric Service Schedule III. C.C. No. 1, 5th Revised Sheet No.
24.005.**

Dear Ms. Rolando:

Over three years ago, on August 29, 2017, Ameren Illinois Company d/b/a Ameren Illinois ("Company") filed tariff sheets pursuant to Section 16-107.5(1-5) of the Public Utilities Act (Act), 220 ILCS 5/16-107.5(1-5), to implement changes under subsection (l) of Section 16-107.5 of the Act. 220 ILCS 5/16-107.5(l). The filing implemented revisions of the Company's Rider Net Metering ("Rider NM") tariff, including tariff language setting forth: (1) the 3% threshold for notifying the Commission regarding the initiation of an investigation into an annual process and formula for calculating the value of distributed generation rebates under Section 16-107.6(e) of the Act, 220 ILCS 5/16-107.6(e); and (2) the 5% net metering threshold specified in Sections 16-107.5(j) and 16-107.6(a) of the Act. 220 ILCS 5/16-107.5(j); 5/16-107.6(a). The Illinois Commerce Commission ("Commission") approved the tariff and the Company's revised tariff sheets went into effect on September 29, 2017.

Since then, the Company has filed annual public reports with the net metering percentages based on the calculations set forth in the Company's tariff. Consistent with that ongoing reporting, on April 2, 2020, the Company notified the Commission pursuant to Section 16-107.6(e) of Public Utilities Act and the "Reports" section on Sheet 24.012 of Rider NM that it had reached the 3% threshold metric identified in that provision of the Act. In that communication, the Company indicated that, based on approved interconnection applications at the time of the notice, the Company anticipated that the total generating capacity added in 2020 would likely cause Ameren Illinois to exceed the 5% value identified in Sections 16-107.5(j) and 16-107.6(a) of the Act by the end of 2020. The Company has continued to provide updates to the threshold calculation as part of the proceedings in Docket 20-0389 and related workshops.

While not required by the Act, but in order to provide transparent information to the Commission and stakeholders, the Company is hereby notifying the Commission that pursuant its October 1, 2020 net metering report, it has reached the 5% threshold identified in Rider NM. Accordingly, the Company will apply the provisions of Section 16-107.5(j) of the Act as outlined on Sheet 24.005 of Rider NM to all customers who



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begin taking net metering service under Rider NM on or after October 2, 2020. These changes will be reflected in customer bills beginning October 23, 2020, which marks the beginning of the Company's upcoming November billing period. Customers who begin taking net metering service under Rider NM after October 2, 2020 will receive supply-only netting. Existing behind the meter net metering customers will continue to receive full delivery service net metering. 220 ILCS 5/16-107.6(c), 5/16-107.5(j).

In the context of this notice, the Company has reviewed the Commission's Second Interim Order issued in Docket 20-0389. As directed by Findings and Ordering Paragraph 8 of the Second Interim Order, "Ameren shall calculate and maintain records of, by customer, the charges and/or credits the customer would have been billed under Rider NM – Net Metering, had the 5% threshold set forth in 220 ILCS 5/16-107.5 not been met until the earlier of (1) the completion of the investigation the Commission directed in its Interim Order of September 23, 2020; or (2) the 5% threshold set forth in 220 ILCS 5/16-107.5 is met calculating that threshold consistent with the ALJ's ruling of July 7, 2020."

Ameren Illinois is also immediately providing the data supporting the calculation by which the Company determined that it has reached the 5% threshold to Commission Staff. This will allow Staff to audit and verify the calculation on or before October 23, 2020, consistent with the directive of the Commission in the Second Interim Order issued in Docket 20-0389 on October 1, 2020 (p. 10, ¶ 9), that "Staff should perform the audit of Ameren's calculations and data used to calculate the 5% threshold, before Ameren proceeds with implementation of the changes resulting from reaching the 5% threshold under Rider NM."

The Company recognizes that in Findings and Ordering Paragraph 7 the Commission also stated:

Until the completion of the investigation [of the Company's Rider NM], the Commission urges Ameren to calculate the 5% threshold set forth in 220 ILCS 5/16-107.5 consistent with the ALJ's ruling of July 7, 2020. Accordingly, the Commission urges Ameren to stay the implementation of the changes required under Ill. C. C. No. 1 5th Revised Sheet No. 24.005 when the 5% threshold has been met by Ameren's interpretation.

The Company has carefully considered this request for voluntary action with respect to the calculation and implementation of the 5% threshold. Ameren Illinois is committed to an orderly transition of net metering requirements pursuant to the Act, so that the result is both compliant with the law and in the interest of the electric distribution customers who will bear the costs.¹ However, Ameren Illinois has determined that it cannot undertake

¹ As part of this consideration, Ameren Illinois also balanced the benefits to be conferred to the solar industry and net metering customers with imposing costs on its electric distribution customers as a whole, as well as Ameren Illinois' recent voluntary efforts to address potential pandemic-related financial



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what the Commission urges, as to do so would require Ameren Illinois to disregard its tariffs and so violate the Act. As Ameren Illinois explained in its Response filed in Docket 20-0389 on September 30, 2020, Rider NM legally binds Ameren Illinois to follow its provisions, and Ameren Illinois cannot charge a rate or provide a service that is different from in its published tariffs. To the extent the Commission is asking Ameren Illinois to employ a calculation or billing methodology other than what is in Rider NM, this would require Ameren Illinois act in contravention of the Act. See 220 ILCS 5/9-240; 220 ILCS 5/9-104.

Attachment 1 shows the Company's aggregate generation nameplate capacity for its Rider NM customers as a percentage of the total peak demand supplied by the Company during the previous year, as of this notification.

A copy of this notification will also be provided to the parties in Docket 20-0389.

If you have any questions, please call me at 217/535-5229.

Sincerely,

Brice A. Sheriff, Director
Regulatory Affairs

BAS/cic

Attachments

cc: Christy George -ICC
Jim Zolnierek – ICC
Torsten Clausen - ICC
bc: Sara Reynolds

hardships made in the context of the Commission's Docket 20-0309 Covid-19 Emergency Response docket.