

**FILED**

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Service Commission

Exhibit No.: 113  
Issue: RESRAM Prudence Review  
Witness: Claire M. Eubanks, P.E.  
Sponsoring Party: MoPSC Staff  
Type of Exhibit: Surrebuttal Testimony  
Case No.: ER-2016-0156  
Date Testimony Prepared: September 2, 2016

**MISSOURI PUBLIC SERVICE COMMISSION**

**COMMISSION STAFF DIVISION**

**ENGINEERING ANALYSIS**

**SURREBUTTAL TESTIMONY**

**OF**

**CLAIRE M. EUBANKS, P.E.**

**KCP&L GREATER MISSOURI OPERATIONS COMPANY**

**CASE NO. ER-2016-0156**

*Jefferson City, Missouri  
September 2016*



Surrebuttal Testimony of  
Claire M. Eubanks, PE

1           A.     Yes. Currently (and prior to HB 142), the net-metering rule requires that the  
2 Company review and respond to applications for interconnection within 30 days of receipt.<sup>1</sup>  
3 Until the rule revision effective November 30, 2015, the Renewable Energy Standard rule  
4 required that the utility offer customers a solar rebate within 30 days of application. If full  
5 operation of a customer's system was not achieved in 6 months, the customer was required to  
6 provide a progress report to the Company. If full operation was not achieved in 12 months  
7 customers were required to reapply for any solar rebate.<sup>2</sup>

8           Q.     Did the Company require customers to provide 6-month progress reports, or  
9 re-apply for solar rebates a year after rebate offer if the system was not operational, as  
10 required by the rule?

11          A.     Based on the discussion on Page 9 of Ms. Riggins Rebuttal Testimony, it does  
12 not appear this requirement was followed consistently, possibly not at all. Ms. Riggins notes  
13 that the Company had to manually search the email inbox used to manage workflow and make  
14 phone calls to confirm the status of projects. She states "In many cases there were projects  
15 that had aged over one year since pre-approval."

16          Q.     Did the Company make rebate offers within 30 days of application, as required  
17 by Rule 4 CSR 240-20.100(4)(K)?

18          A.     Based on the discussion on Page 7 of Ms. Riggins Rebuttal testimony, it is  
19 not clear that offers were made within 30 days of rebate application. She notes that  
20 the Stipulation, effective November 13, 2013, changed the process such that GMO began  
21 to offer solar rebates at the time of application, rather than pre-approval. However, Rule

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<sup>1</sup> Within thirty (30) days of receipt for systems ten kilowatts (10 kW) or less and within ninety (90) days of receipt for all other systems. Rule 4 CSR 240-20.065(9)(C).

<sup>2</sup> Rule 4 CSR 240-20.100(4)(K). The rule revisions effective November 30, 2015 removed the 6-month progress report requirement.

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1 4 CSR 240-20.100(4)(K) had required that a solar rebate offer be made within 30 days of  
2 receipt of the application from September 30, 2010 up until the rule revisions effective  
3 November 30, 2015.

4 Q. In her Rebuttal Testimony, on page 4, Company witness Kristin Riggins states  
5 that, "The rebate phase out associated with HB 142 established both application submittal and  
6 operational date timeline requirements as part of the legislation." Did HB 142 revise  
7 RSMo 393.1030 to require application submittal dates?

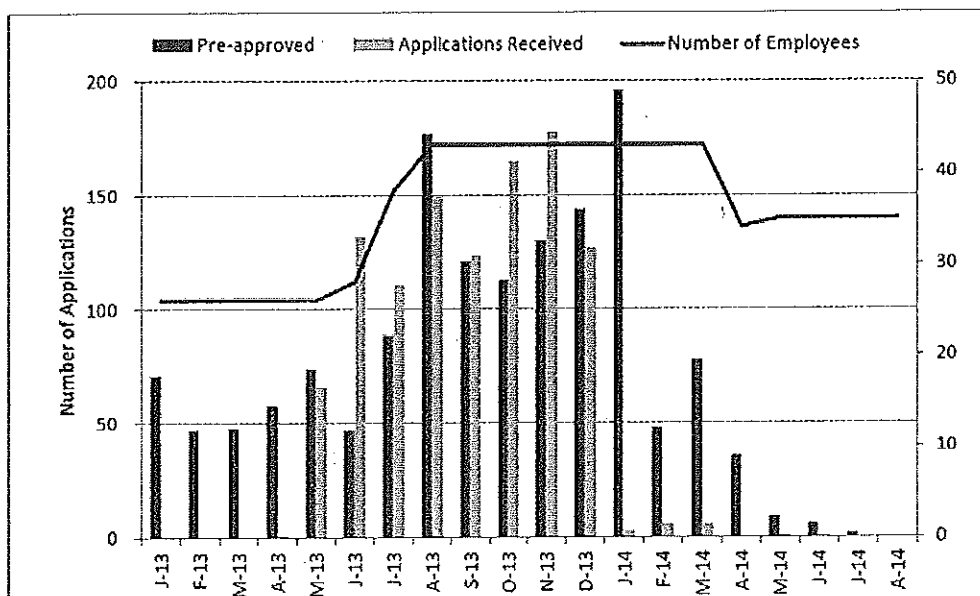
8 A. No, RSMo 393.1030 allows the utility the option of requiring an application  
9 submittal due date, through its tariffs, up to 182 days prior to the June 30 operational date  
10 cut-off. The Company included this requirement in its tariff effective November 18, 2013.

11 Q. On Page 6 of her Rebuttal Testimony, Ms. Riggins equates the amount of  
12 applications received between September 4, 2013 and November 15, 2013 to the previous  
13 8-month period. Is this comparison accurate?

14 A. No. As Ms. Riggins notes on Page 3 of her Rebuttal Testimony, GMO did not  
15 even track the date applications were received until the second quarter of calendar year 2013.  
16 Below is a graph Staff provided in its investigation, in EO-2014-0357, showing the  
17 applications received and pre-approved monthly for KCPL and GMO from January 2013  
18 through April 2014. Staff will note that nearly a third of the applications pre-approved during  
19 that time frame had an unknown application received date and is therefore, not shown in the  
20 monthly break-down of applications received.

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Graph 1: Applications Received & Pre-approved vs. Number of Employees



Q. Does Staff agree that GMO faced an influx of solar rebates in 2013, partly due to the stair-step down of rebate payments included in HB 142?

A. Yes. However, GMO would have been better prepared to handle the queue of rebates had GMO consistently followed the net-metering and RES rule requirements related to application processing.

Q. GMO was operating under the premise that all customers who successfully applied would eventually receive a rebate. Does Staff agree with this assumption?

A. Not exactly. Staff agrees that, prior to the stipulation to limit funding at a total cap of \$50 million, if the retail rate impact limit was reached, rebate payments would resume the following year provided funds were available under the retail rate impact limit.

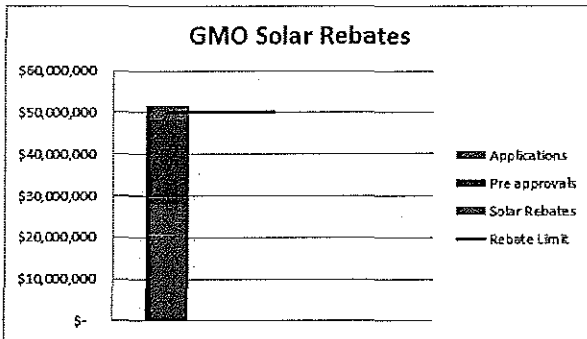
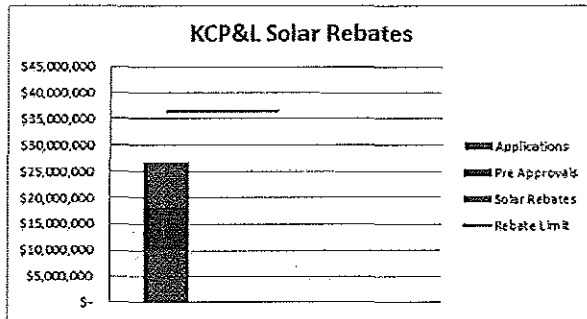
Q. Was Staff made aware that GMO had pre-approved and offered solar rebates significantly over the \$50 million?

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1 A. Not until GMO's April 2014 filing to suspend solar rebates (ET-2014-0277).  
2 Staff commented in its recommendation dated May 9, 2014, in ET-2014-0277, that GMO had  
3 published several website charts dating back to December 19, 2013, each showing that  
4 GMO's solar rebates paid and pre-approved totaled at or near \$50 million. However, between  
5 the February 7, 2014 website chart and the April 13, 2014 filing, the pre-approved solar rebate  
6 applications paid and pre-approved jumped from at or near \$50 million to at or near  
7 \$55 million with the total received exceeding \$60 million. Below is the web chart as of  
8 February 7, 2014, which Staff took a screenshot of on April 10, 2014:

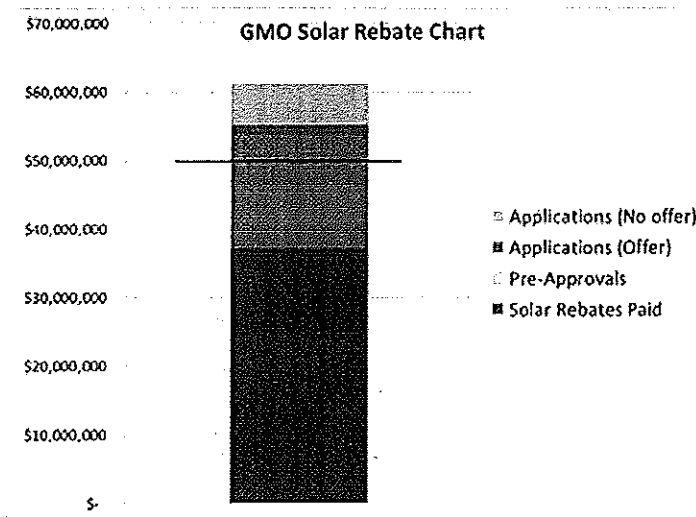
9  
This chart reflects the current program spend for the solar rebate payments  
from September 1, 2012 to the present for both KCP&L and KCP&L Greater  
Missouri Operations.

it includes actual rebate payments made by KCP&L for completed projects as well as pending rebate payments for project  
applications that KCP&L has received and approved. Please note for pending applications approximately 90% of the  
applications submitted are completed.



Last updated February 7, 2014.

1 Below is the chart provided in Tim M. Rush's Direct Testimony filed in ET-2014-0277, on  
2 April 9, 2014:



Schedule TMR-1

4  
5 Q. Does Ms. Riggins mention anything else about the solar rebate tracking  
6 process during the time prior to the Stipulation which is of concern?

7 A. Yes. Ms. Riggins notes on Page 4, lines 18-21 of her testimony, that for a time  
8 GMO separately logged application receipt from the tracking of dollars associated with the  
9 pre-approved project. Additionally, Ms. Riggins notes that at the time of their process  
10 transition, GMO did not account for 50 applications that were in engineering review.  
11 Ms. Riggins herself notes the miscount of those 50 applications contributed to the overage.

12 Q. What is the value of those 50 applications?

13 A. At this time, Staff does not know the value of those 50 applications; however,  
14 if each of those applications were for the maximum rebate available they would be worth  
15 \$2.5 million.

16 Q. Does this conclude your surrebuttal testimony?

17 A. Yes, it does.

**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of KCP&L Greater Missouri )  
Operations Company's Request for Authority ) Case No. ER-2016-0156  
to Implement A General Rate Increase for )  
Electric Service )

**AFFIDAVIT OF CLAIRE M. EUBANKS, PE**

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF COLE )

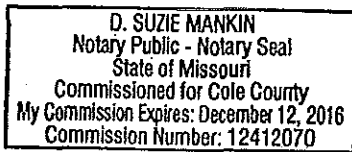
**COMES NOW CLAIRE M. EUBANKS, PE** and on her oath declares that she is of sound mind and lawful age; that she contributed to the foregoing Surrebuttal Testimony and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.

*Claire M Eubanks*  
CLAIRE M. EUBANKS, PE

**JURAT**

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 1<sup>st</sup> day of September, 2016.



*D. Suzie Mankin*  
Notary Public



CLAIRE M. EUBANKS, PE

**PRESENT POSITION:**

I am a Utility Regulatory Engineer I in the Engineering Analysis Unit, Operational Analysis Department, of the Commission Staff Division of the Missouri Public Service Commission.

**EDUCATIONAL BACKGROUND AND WORK EXPERIENCE:**

I received my Bachelor of Science degree in Environmental Engineering from the University of Missouri – Rolla, now referred to as Missouri University of Science and Technology, in May 2006. I am a licensed professional engineer in the states of Missouri and Arkansas. Immediately after graduating from UMR, I began my career with Aquaterra Environmental Solutions, Inc., now SCS Aquaterra, an engineering consulting firm based in Overland Park, Kansas. During my time with Aquaterra, I worked on various engineering projects related to the design, construction oversight, and environmental compliance of solid waste landfills. I began my employment with the Commission in November 2012. My primary responsibility in my current position is related to the Renewable Energy Standard. Additionally, over the past two years I have served on work groups related to the Clean Power Plan.

**CASE HISTORY:**

Case Number	Utility	Type	Issue
EA-2012-0281	Ameren	Rebuttal	Certificate of Convenience and Necessity
EC-2013-0379 EC-2013-0380	KCP&L KCP&L GMO	Rebuttal	RES Compliance
EO-2013-0458	Empire	Memorandum	RES Compliance Plan & Report
EO-2013-0462	Ameren	Memorandum	RES Compliance Report
EO-2013-0503	Ameren	Memorandum	RES Compliance Plan
EO-2013-0504	KCPL	Memorandum	RES Compliance Plan & Report
EO-2013-0505	GMO	Memorandum	RES Compliance Plan & Report
ET-2014-0059	KCP&L GMO	Rebuttal	RES Retail Rate Impact
ET-2014-0071	KCP&L	Rebuttal	RES Retail Rate Impact
ET-2014-0085	Ameren	Rebuttal	RES Retail Rate Impact
ER-2014-0258	Ameren	Cost of Service Report, Surrebuttal	RES, In-Service
EO-2014-0287	KCPL	Memorandum	RES Compliance Plan

cont'd Claire M. Eubanks, PE

Case Number	Utility	Type	Issue
EO-2014-0288	GMO	Memorandum	RES Compliance Plan
EO-2014-0289	KCPL	Memorandum	RES Compliance Report
EO-2014-0290	GMO	Memorandum	RES Compliance Plan
ER-2014-0370	KCP&L	Cost of Service Report	RES
EX-2014-0352	N/A	Live Comments	RES rulemaking
EC-2015-0155	GMO	Memorandum	Solar Rebate Complaint
EO-2015-0260	Empire	Memorandum	RES Compliance Plan & Report
EO-2015-0263	KCPL	Memorandum	RES Compliance Report
EO-2015-0264	GMO	Memorandum	RES Compliance Report
EO-2015-0265	KCPL	Memorandum	RES Compliance Plan
EO-2015-0266	GMO	Memorandum	RES Compliance Plan
EO-2015-0267	Ameren	Memorandum	RES Compliance Plan & Report
EO-2015-0252	GMO	Staff Report	Integrated Resource Plan – Renewable Energy Standard
EO-2015-0254	KCPL	Staff Report	Integrated Resource Plan – Renewable Energy Standard