

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, and 393.140, RSMo 2016, the commission withdraws a proposed rescission of its rule as follows:

20 CSR 4240-3.155 Requirements for Electric Utility Cogeneration Tariff Filings is withdrawn.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 1, 2020 (45 MoReg 1005-1006). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The public comment period ended July 31, 2020, and the commission held a public hearing on the proposed rescission on August 11, 2020. The commission received timely written comments from Karen Bretz, Senior Counsel, on behalf of the staff of the commission, Caleb Hall, Senior Counsel, on behalf of The Office of the Public Counsel, Patricia Sharkey, Policy Director, on behalf of Midwest Cogeneration Association, Mary Shields, Executive Director, on behalf of Missouri Solar Energy Association Roger W. Steiner, Attorney, on behalf of Evergy Missouri Metro and Evergy Missouri West, Paula N. Johnson, Senior Corporate Counsel, on behalf of Union Electric Company d/b/a Ameren Missouri, Diana C. Carter, Attorney, on behalf of Liberty Utilities, and Tim Opitz, Attorney, on behalf of Renew Missouri. The commission received comments at the hearing from Karen Bretz, Senior Counsel, on behalf of the staff of the commission, Claire Eubanks, Engineer Manager, on behalf of the staff of the commission, Caleb Hall, Senior Counsel, on behalf of the Office of the Public Counsel, Jim Fischer, Fischer & Dority, PC, on behalf of Evergy Missouri Metro and Evergy Missouri West, Paula N. Johnson, Senior Corporate Counsel, on behalf of Ameren Missouri. The comments regarding this rescission and the proposed amendment of the commission's cogeneration rule raised concerns about this proposed rescission, as portions of this rule were included in the proposed cogeneration amendment, which the commission is withdrawing.

RESPONSE: After reviewing the comments, the commission concludes that since the proposed cogeneration rule is being withdrawn, it is not appropriate to proceed with this rescission. The commission will withdraw this rescission.