

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

In the Matter of a Petition To Interpret 20 CSR 4240-20.065)
And Establish the Status and Eligibility of the Members of)
the St. James Solar Farm Association to Receive) File No. EO-2021-0408
Net-Metering Credits.)

AMEREN MISSOURI’S RESPONSE TO THE ASSOCIATION’S PETITION

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Company” or “Ameren Missouri”), and in accordance with the Missouri Public Service Commission's ("Commission") *Order Directing Staff Recommendation and Setting Time for Responses* effective June 24, 2021, responds to the St. James Solar Farm Association's ("Association") Petition.¹ Ameren Missouri provides the following short response:

1. As a preliminary matter, Ameren Missouri appreciates the opportunity to provide this response.
2. Ameren Missouri is expressly not addressing the underlying sufficiency or insufficiency of the Association's Petition nor the legal or policy issues raised by the Association's proposed rule, but recommends the Commission reject the Association's Petition for lack of jurisdiction.
3. The Commission's authority to promulgate rules related to net-metering is expressly limited to "public utilities." Section 386.890.2(9), RSMo.
4. In paragraph 6 of the Association's Petition, the Association explains: "Association intends to enter into an interconnection agreement with a municipal utility ... and [u]nder said interconnection agreement, Association's members would generate solar energy which is fed into

¹ On May 24, 2021, the Association filed its original Petition. On June 17, 2021, the Association filed a First Amended Petition for Rulemaking. As the term "Petition" is used herein, the Company means the First Amended Petition for Rulemaking filed on June 17, 2021.

the utility's distribution system, and in return, Association's members would receive net-metering credit for the kilowatt-hours generated by each member."

5. Municipal utilities are not "public utilities," and therefore, the Commission's authority to promulgate rules related to net-metering does not extend to the municipal utility with which the Association seeks to interconnect and have net-metering apply.

WHEREFORE, Ameren Missouri respectfully recommends that the Commission deny the Association's Petition as seeking to modify net-metering rules to apply to municipal utilities, which is beyond the Commission's jurisdiction and authority.

Respectfully submitted,

/s/ Jermaine Grubbs

Jermaine Grubbs, #68970

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Dated: July 8, 2021

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to the parties of record on this 8th day of July, 2021.

/s/ Jermaine Grubbs
Jermaine Grubbs