BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Proposed Amendment of 4 CSR 240-20.065 and 4 CSR 240-20.100 Regarding Net Metering and Renewable Energy Standard Requirements.	))))	Case No. EX-2014-0352

AMEREN MISSOURI'S COMMENTS ON PROPOSED AMENDMENTS TO NET METERING AND RENEWABLE ENERGY STANDARD REQURIEMENTS

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company") and hereby provides Comments to the Missouri Public Service Commission's ("Commission") Proposed Amendments to its Net Metering and Renewable Energy Standard Rules as published in the *Missouri Register* on May 1, 2015.

Comments on Net Meter Proposed Rule

1. In 4 CSR 240-20.065(3), the proposed rule has additional language which uses the phrase "electric system." "Electric system" is not a defined term in the net metering regulations, but the phrase "electric utility" is a defined term in 4 CSR 240-20.065(1)(E). Ameren Missouri proposes substituting the phrase "electric utility" for the phrase "electric system" to avoid introducing a new term.

2. In the *Interconnection Application/Agreement for Net Metering Systems with Capacity of One Hundred Kilowatts (100kW) or Less*, Section C concludes with a signature line. Ameren Missouri proposes to add a line under the signature line that reads "Printed Name _____." Some signatures are not legible and having these individuals also print their names will help to resolve that problem.

3. Also within the *Interconnection Application/Agreement for Net Metering Systems with Capacity of One Hundred Kilowatts (100kW) or Less*, Section I deals with the certain terms associated with a solar rebate. Section I should be modified as follows:

a. In the third paragraph, the words “the duration of its useful life” should be stricken since those words are being removed from 4 CSR 240-20.100(4)(C);

b. In the tenth paragraph, the words “for which they received a solar rebate” should be deleted for clarity. This section addresses customer obligations and is signed by the customer so the use of “they” is inaccurate and the use of “received” is improper since the customer has not yet received a rebate;

c. Consistent with 4 CSR 240-20.100(8)(A.1.I(II)), the tenth paragraph should include a customer acknowledgement that they will not sell, pledge or otherwise take credit for the SRECs being transferred to the utility by appending the tenth paragraph with, “and during this period, I may not claim credit for the SRECs under any environmental program or transfer or sell the SRECs to any other party.”

4. With respect to 4 CSR 240-20.065(9), a utility should not be required to maintain tariffs that include solar rebate information to the extent that solar rebates are no longer being paid and not anticipated to be paid in the future. A new section (9)(E) should be added with the following language, “For a utility which has fully dispersed the "specified level" associated with the Commission’s orders in ET-2014-0059, ET-2014-0071 and ET-2014-0085, it shall not be necessary for the utility to request and receive a variance or waiver of this rule for the purpose of removing from its tariff the following sections from the *Interconnection Application/Agreement for Net Metering Systems with Capacity of One Hundred Kilowatts (100kW) or Less*: 1. "For

Customers Who Are Installing Solar Systems:," 2. "H. Solar Rebate (For Solar Installations only)" and 3. "I. Solar Rebate Declaration (For Solar Installations only)."

Comments on Renewable Energy Standard Proposed Rule

5. In 4 CSR 20-100(2)(C), a portion of the proposed rule currently reads "…for solar energy shall be two percent (2%) of the renewable energy resources that can be acquired…" Ameren Missouri believes the language should be "…for solar energy shall be no less than two percent (2%) of the renewable energy resources that can be acquired…" This language is taken directly from the language of the statute, which allows for more than 2% to come from solar. In other words, the 2% is meant as a floor and not as a cap.

6. In 4 CSR 240-100(4)(J), the proposed regulation uses the word "purchased" in two different places. Not all SRECs are purchased and, if they are purchased, there can be tax implications. To provide for purchases or transfers without purchasing, Ameren Missouri proposes to substitute the word "acquired" with the word "purchased" in this section.

7. In 4 CSR 240-100(4)(L), the proposed rule adds language which states that customer-generators have up to twelve (12) months from "when they apply" for a solar rebate for the utility to confirm the customer-generator's solar system is in operation. This language is overly restrictive and is not consistent with the net metering rule at 4 CSR 240-20.065, which specifies that the 12 months should begin when the customer "receives notice of the approval of its application from the utility." Otherwise, the 12-month periods for solar rebates and net metering will not be coincidental and part or all of the 12 months could be spent waiting on approval from the utility rather than allowing for 12 months in order to install the customer's solar system. This substitution makes it clear and is beneficial to customers.

8. With respect to 4 CSR 240-20.100 (4)(O), a utility should not be required to maintain rebate queue information on its website to the extent that solar rebates are no longer being paid and not anticipated to be paid in the future. Section (4)(O) should be modified to read, "To the extent that an electric utility has not suspended solar rebate payments per a Commission Order, an electric utility shall maintain on its website, current information related thereto."

9. In 4 CSR 240-100(4)(N), Ameren Missouri recommends modifying the current language of "…if the solar rebate program for an electric utility causes the utility to meet or exceed the retail rate impact…" to "…if the electric utility meets or exceeds the retail rate impact..." No one particular resource addition "causes" the utility to exceed the retail impact—all of the resources together cause it to exceed. The central idea of this section is how to handle the situation where the utility meets or exceeds the Retail Rate Impact ("RRI") and, therefore, that is all the language needs to say.

10. Ameren Missouri proposes the addition of 4 CSR 240-20.100(4)(P), which would read as follows: "The provisions of this rule shall not affect the Commission's report and orders in file numbers ET-2014-0059, ET-2014-0071 and ET-2014-0085." This language is important to ensure parties do not argue the Solar Rebate rules somehow change what the Company and other parties agree to do in those cases.

11. In 4 CSR 240-100(5)(A), the rule sets a date before which renewable costs do not count as a compliance cost within the RRI calculation. The proposed rule takes language that previously existed and moves it to an independent sentence. The Company, however, believes the Commission should clarify that it is not intending that the RRI exclude all renewable energy resources owned or under contract prior to the effective date of the amended rule, but rather it is

referencing the original rule (which took effect on September 20, 2010). This can easily be clarified, by changing the sentence as follows: "The retail rate impact shall exclude renewable energy resources owned or under contract prior to September 30, 2010."

12. In 4 SR 240-20.100(5)(B).17.C, the words "case numbers" should be replaced with the words "file numbers."

13. In 4 CSR 240-20.100(5)(G), the proposed language refers to the annual carry-forward amount and the need to accumulate the annual carry-forward amounts. Because section (5)(B) refers to the "cumulative carry-forward amount as determined in Section (5)(G)," the term "cumulative carry-forward amount" should be included in Section (5)(G) and defined. The Company recommends that the language in Section (5)(G) be modified as follows: replace the third sentence (i.e., "The positive or negative annual carry-forward amount shall be accumulated and carried forward from year-to-year and included in the cost of the RES-compliant portfolio for purposes of calculating the retail rate impact, as calculated in subsection (5)(B)") with the following language: "The positive or negative cumulative carry-forward amount shall be calculated by accumulating the annual positive or negative annual carry-forward amounts. The positive or negative cumulative carry-forward amount shall be included in the cost of the RES-compliant portfolio for purposes of calculating the retail rate impact, as calculated in subsection (5)(B)."

14. In addition to defining the "cumulative carry-forward amount," the rule should also establish a starting point for calculation of an initial "cumulative carry-forward amount" for inclusion in the calculation of the 1% retail rate impact provided for in subsection (5)(B). The Company proposes the following language be included with whatever starting date the Commission deems appropriate. "The initial cumulative carry-forward amount shall be equal to

the annual carry-forward amounts for the period January 1, 20xx, through December 31, 2014. Any prior-year annual carry-forward amounts shall be based on the revenue requirement analysis included in the utility's filed Annual RES Compliance Plan, pursuant to subsection (8)(B), for each respective prior year."

15. In 4 CSR 240-20.100(5)(I), the proposed language refers to the calculation of the retail rate increase and the implications for that calculation of the inclusion of utility investments in solar-related projects. It should be made clear that the retail rate impact calculation referenced is that which is provided for in subsection (5)(B). The Company recommends that the language be expanded to read, "…if the maximum average retail rate increase**, as calculated pursuant to subsection (5)(B),** would be less than or equal to one percent…"

16. Also in 4 CSR 240-20.100(5)(I), the new language proposed in the rule contains the phrase "…then additional solar rebates shall be paid…" This should be changed to "…then additional solar rebates shall be made available…" The statute uses the same language as Ameren Missouri's recommends here. Additionally, the word "paid" implies the rebate dollars have been transferred to the customer (i.e., check written), which may not occur immediately (the customer must install the system, etc.). However, the Company agrees the money should be made available to the customer. This would mean the customer would be told that rebate money is available and that it will be paid presuming the customer installs the solar system in a timely manner.

17. In 4 CSR 240-20.100(6)(A)4, it is proposed to incorporate the word "annual" into the paragraph. This addition is incorrect. There is no annual 1% limit. The Commission has explicitly created the rules to look forward 10 years in order to determine the RRI limitation. The insertion of the word "annual" confuses that concept and is not necessary.

18. 4 CSR 240-20.100(8)(A)G says "The identification, by source and serial number, of any RECs that have been carried forward to a future calendar year." The Company recommends striking "serial number" as RECs are not assigned serial numbers.

19. 4 CSR 240-20.100(8), in general, requires a lot of detailed information to be filed. In its reports, Ameren Missouri has found it more useful to provide Staff access to certain voluminous information on site. For example, the Company's files on rebates are available to Staff if it is helpful. The language could be modified so that it requires the information to be filed or access provided. Specifically, Ameren Missouri has always sought and obtained (without objection from any party) a variance from 4 CSR 240-20.100(8)(A)1(I) as it applies to RECs obtained from aggregators that sell RECs which are lawfully registered in a renewable energy registry.[1] This requirement asks for the owner's name, address and meter readings underlying the RECs. Because RECs purchased from aggregators are not purchased by Ameren Missouri directly from the facility owner, the Company is not the holder of the information required by this section. Regardless, the Commission has assurance that the RECs being purchased are legitimate because they are registered through a renewable energy registry system, much as the Commission uses to track retired RECs used for compliance with the RES. Staff and the Commission have historically agreed to this variance request. This change would merely simplify the process that has already been undertaken to date in these reports.

Conclusion

Ameren Missouri respectfully requests that the Commission consider and address the foregoing comments when finalizing the proposed rules addressed herein.

[1] The Company has also always sought a variance from this requirement for RECs obtained from customer-generators, but the Commission has addressed that issue in its proposed rules.

Respectfully submitted,

/s/ Wendy K. Tatro
Wendy K. Tatro, #60261
Director & Assistant General Counsel
1901 Chouteau Avenue, MC 1310
P.O. Box 66149
St. Louis, MO 63166-6149
(314) 554-3484 (phone)
(314) 554-4014 (facsimile)
amerenmoservice@ameren.com

ATTORNEYS FOR UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 1st day of June, 2015, to all parties on the Commission's service list in this case.

/s/ Wendy K. Tatro
Wendy K. Tatro