

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

In the Matter of the Consideration of Proposed)	
Amendments to the Missouri Public Service)	File No. EW-2019-0002
Commission's Rules Regarding Solar)	
Rebates (4 CSR 240-20.100(4)))	

EMPIRE'S INITIAL COMMENTS

COMES NOWThe Empire District Electric Company, a Liberty Utilities company ("Empire"), by and through counsel, and in response to the *Motion to Open Rulemaking Workshop* filed herein by the Staff of the Commission ("Staff") and the *Order Establishing a Working Case to Consider Rulemaking Concepts Regarding Solar Rebates* issued herein by the Missouri Public Service Commission ("Commission"), respectfully states as follows:

1. Empire appreciates the opportunity to participate in this working docket regarding possible rule changes necessitated by the enactment of RSMo. 393.1670(Senate Bill 564) and provide comments regarding proposed changes to Commission Rule 4 CSR 240-20.100 prepared by Staff as a "draft concept for discussion purposes."

2. Empire believes changes to its solar rebate and net metering tariffs are necessary as a result of the enactment of RSMo. 393.1670and intends to file revised tariffs by July 29, 2018, so that the revisions may take effect by August 28, 2018 – the effective date of RSMo. 393.1670. Empire understands that additional tariff changes will likely be necessary asa result of the completion of any rulemaking stemming from this working docket.

3. Empire is still reviewing and considering the implications of Staff's "draft concept for discussion purposes," but has the following initial comments:

a. Empire is unsure of the intended meaning of proposed subpart (N)2 of Rule 4 CSR 240-20.100(4) and looks forward to discussing this provision with Staff and other interested stakeholders.

b. Empire is supportive of the concept set forth in proposed subsections Q, R, and S of Rule 4 CSR 240-20.100(4), but is concerned with how to design a solar program that is accessible and desirable to low-income customers and overcomes the logistical hurdles related to earmarking funds for a sector that may not be able to fully utilize the designated amount. Additionally, Empire is concerned that its non-residential customers desiring to take advantage of the new rebates mandated by RSMo. 393.1670 (Senate Bill 564) may contest the legality of earmarking a percentage of the rebates for certain targeted areas without express statutory authority.

WHEREFORE, Empire respectfully submits these Initial Comments and looks forward to further discussion regarding rule changes that may be necessary or appropriate in light of the passage of Senate Bill 564.

Respectfully submitted,

BRYDON, SWEARENGEN & ENGLAND, P.C.

By:

/s/ Diana C. Carter
Diana C. Carter MBE#50527
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, Missouri 65102
Phone: (573) 635-7166
Fax: (573) 635-3847
E-mail: dcarter@brydonlaw.com

CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 16th day of July, 2018, with notification of the same being sent to all parties of record.

____/s/ Diana C. Carter