

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Consideration of Adoption)	
Of the PURPA Section 111(d)(11) Net Metering)	Case No. EO-2006-0493
Standard as Required by Section 1251 of the)	
Energy Policy Act of 2005)	

**RESPONSE TO PROPOSED QUESTIONS BY CONCERNED CITIZENS
OF PLATTE COUNTY, SIERRA CLUB, OZARK ENERGY SERVICES, MID-
MISSOURI PEACEWORKS AND HEARTLAND RENEWABLE ENERGY SOCIETY**

Come now Concerned Citizens of Platte County (“CCPC”), Sierra Club, Ozark Energy Services, Mid-Missouri Peaceworks and Heartland Renewable Energy Society and in response to the Commission’s August 17 Order Directing Filing answer the three proposed questions as follows.

Prior State Action

The only relevant prior state action was the enactment by the General Assembly of the Consumer Clean Energy Act, § 386.887, RSMo (2002) and the implementing regulation 4 CSR 240-20.065, which purport to authorize net metering. However, this is not “the standard concerned (or a comparable standard)” within the meaning of EAct 2005, § 1251(b)(3).

Under § 386.887.4 and 4 CSR 240-20.065(5)(A) the electric energy supplied to and produced by the customer-generator are to be separately measured. The customer-generator pays retail for the utility power consumed but gets credit for self-generated power at the utility’s avoided cost. § 386.887.3, 240-20.65(5)(A).

This is not net metering. As commonly defined, that term refers to the use of a single meter that records only the net consumption or generation of power. Kenneth Rose and Karl Meeusen, *Reference Manual and Procedures for Implementation of the “PURPA Standards” of the Energy Policy Act of 2005*, pp. 36-7 (APPA, EEI, NARUC and NRECA, March 22, 2006);

<http://www.epa.gov/greenpower/whatis/glossary.htm>;

<http://www.eere.energy.gov/greenpower/markets/netmetering.shtml>; *Windways Technologies v. Midland Power Cooperative*, 696 N.W.2d 303, 304-5 (Iowa 2005). For this reason the authoritative Database of State Renewable Energy Incentives (dsireusa.org) does not list Missouri as a net metering state.

Missouri has not acted on or otherwise considered the same or a comparable standard. This case should therefore proceed.

Consolidation

This case should be consolidated with EO-2006-0497, Consideration of the Adoption of the 111(d)(15) Interconnection Standard.

Interconnection to the utility grid is an essential prerequisite to net metering. Interconnection is currently covered by the “net metering” statute and rule, § 386.887.9; 4 CSR 240-20.065(6) and accompanying interconnection agreement; they should be revised or replaced concurrently.

The interconnection standard of EPC Act § 1254, PURPA § 111(d)(15), means explicitly the provision of service to “an on-site generating facility on the consumer’s premises.” The two standards should therefore be considered in tandem.

Type of Proceeding

We believe rulemaking is the best type of proceeding for implementing the net metering standard. It would best result in uniform and nondiscriminatory standards and rates. Rate cases are not suited to consideration of the technical aspects of metering and interconnection or the types of generation (wind, solar, biomass, etc) which should qualify for net metering.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct PDF version of the foregoing was sent by email on this 15th day of September, 2006, to the persons on the EFIS service list.

/s/Henry B. Robertson
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