

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

In the Matter of Ameren Missouri’s                    )       File No. EE-2014-0313  
Solar Rebate Offer.                                        )

**BRIGHTERGY, LLC’S COMMENTS IN SUPPORT OF  
APPLICATION FOR VARIANCE**

Brightergy, LLC (“Brightergy”) hereby files its Comments in Support of the *Application for Variance* filed by Union Electric Company, d/b/a Ameren Missouri (“Ameren Missouri”) on April 25, 2014.<sup>1</sup> In support of Ameren Missouri’s Application, Brightergy states as follows:

1. Ameren Missouri’s *Application for Variance* requests the Missouri Public Service Commission (“MPSC” or “Commission”) permit an Authority Having Jurisdiction (“AHJ”) until July 31, 2014 to complete an inspection of customers’ solar generation systems.

2. Ameren Missouri states that the requested variance is consistent with its current tariff and will ensure that customers will receive a \$2.00 per watt rebate if they have satisfied all conditions necessary (and within the customers’ control) for their systems to become operational by June 30, 2014. Following the June 30th deadline, the solar rebate provided by § 393.1030.3, RSMo 2013, decreases to \$1.50 per watt.

3. Ameren Missouri further states that due to high demand, there is a possibility that AHJs will be unable to complete all required solar system inspections prior to the June 30<sup>th</sup> deadline. As a result, Ameren Missouri may be unable to install bi-directional meters necessary for full system operation before June 30th. The requested variance is intended to preserve the \$2.00 per watt rebate for customers who, but for the inspection and meter installation backlog anticipated by Ameren Missouri, would have been eligible for a \$2.00 per watt rebate.

---

<sup>1</sup> Brightergy applied for intervention in this proceeding on May 1, 2014. While no party has objected to Brightergy’s request to intervene, its application has not yet been approved by the Commission. Accordingly, Brightergy files its Comments subject to the Commission’s approval of Brightergy’s May 1, 2014 Application to Intervene.

4. Brightergy fully supports Ameren Missouri's variance request. Brightergy is a solar design and installation firm that operates throughout the Ameren Missouri service territory. Many of Brightergy's customers have installed, or are in the process of installing, solar generation systems on their homes and businesses. These customers have made substantial investments in solar generation equipment and have relied on receiving a rebate of \$2.00 per watt to help offset total project costs.

5. Customers who have installed solar generation systems and have satisfied all conditions necessary for system operation should not be penalized for an AHJ's inability to complete a system inspection prior to June 30th. As stated by Ameren Missouri, customers and solar installers have little control over when an AHJ can or will conduct a system inspection. In addition, any inspection delays or backlog experienced by an AHJ are entirely outside of an installer and its customers' knowledge and control.

6. Once a customer has fully satisfied its obligations required to receive a solar rebate, it must wait for an AHJ to conduct a system inspection. Only when a system inspection is complete can Ameren Missouri install a bi-directional meter. A bi-directional meter is necessary for the customer's system to be deemed "fully operational" and therefore eligible for a rebate.

7. Currently, this two step process leaves a customer anticipating a \$2.00 per watt rebate entirely reliant on the ability of an AHJ to complete its inspection of the solar generation system before June 30th. If the AHJ completes its inspection prior to June 30th, the customer would receive a full \$2.00 per watt solar rebate. If the AHJ does not complete its inspection in time, the customer would only receive a \$1.50 per watt rebate. Because solar rebates are available for up to 25,000 watts of solar generation, customers may lose as much as \$12,500 in

rebates per solar installation as a result of an AHJ's inability to complete an inspection before the June 30th deadline.

8. The variance requested by Ameren Missouri will provide AHJs with an additional month to complete required solar system inspections. Brightergy fully supports Ameren Missouri's request. Brightergy believes that the requested variance will prevent many customers from being unfairly disqualified from receiving a \$2.00 per watt solar rebate.

9. Customers who have installed solar generation systems are entirely dependent on the completion of an AHJ system inspection for their solar system to become fully operational. Without a variance providing AHJs an additional thirty days to complete system inspections, inspection backlogs—as well as other factors outside of customers' control—may prevent otherwise eligible customers from receiving vital solar rebates. By approving Ameren Missouri's Application, the Commission will prevent significant financial harm to Missouri solar customers as well as the Missouri solar industry.

WHEREFORE, Brightergy respectfully requests the Commission grant Ameren Missouri's April 25, 2014 *Application for Variance*.

Respectfully submitted,

SMITHYMAN & ZAKOURA, CHARTERED

By: /s/ Carson M. Hinderks  
James P. Zakoura, KS Bar #7644  
Carson M. Hinderks, MBE #64493  
750 Commerce Plaza II  
7400 West 110th Street  
Overland Park, KS 66210-2362  
Telephone: (913) 661-9800  
Facsimile: (913) 661-9863  
Email: jim@smizak-law.com  
carson@smizak-law.com

ATTORNEYS FOR BRIGHTERGY, LLC

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 13th day of May, 2014, to all parties on the Commission's service list in this case.

/s/ Carson M. Hinderks