

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 21st day of August, 2013.

In the Matter of Ameren Missouri's Request)
For Variance from Portions of 4 CSR 240-20.065) **File No. EE-2014-0024**
And 4 CSR 240-20.100) Tracking No. YE-2014-0045

**ORDER GRANTING VARIANCE AND APPROVING TARIFF SHEETS AND
APPLICATIONS TO INTERVENE**

Issue Date: August 21, 2013

Effective Date: August 28, 2013

On July 29, 2013, Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") filed a request for variance from portions of the Commission's Net Metering Rule found in 4 CSR 240-20.065 and portions of the Commission's Electric Utility Renewable Energy Standard Requirements, found in 4 CSR 240-20.100. Ameren Missouri requested these waivers in order to implement changes made by House Bill No. 142 to the Missouri Renewable Energy Standard, section 393.1030 RSMo, et. seq, which becomes effective on August 28, 2013. In addition, Ameren Missouri also requested a variance to clarify language in its Net Metering Application/Agreement to reduce customer confusion and expedite processing. Ameren Missouri filed revised Rider SR-Solar Rebate and Rider SP-SREC Purchase and Electric Power Purchases From Qualified Net Metering Units tariffs, with an effective date of August 28, 2013.

On August 14, 2013, Commission Staff filed its recommendation to approve Ameren Missouri's tariff sheets and requests for variance. On August 14, 2013, Missouri Solar Energy Industries Association ("MOSEIA") filed an application to intervene. MOSEIA is an industry trade organization that represents solar industry stakeholders by supporting policy issues focused on solar job creation and sustainable economic growth in Missouri. MOSEIA has an interest in the implementation and enforcement of the Missouri Renewable Energy Standard that is different from that of the general public. Its interest may be adversely affected by a final order in this file.

On August 14, 2013, the Missouri Department of Natural Resources ("DNR") filed an application to intervene. DNR is mandated by section 640.150, RSMo Cum. Supp. 2012 to analyze energy management issues; plan for energy resource development; consult and cooperate with all state and federal government agencies on matters of energy research and development, management, conservation and distribution; analyze potential for increased use of energy alternatives and make recommendations for the expanded use of such alternate energy sources and technologies. DNR's participation in this file will serve the public interest.

On August 16, 2013, the Commission issued its order setting an August 20, 2013 deadline for interested parties to either object to Staff's recommendation or the applications to intervene. No objections to Staff's recommendation or the applications to intervene were received.

Commission Rule 4 CSR 240-2.075(3) allows the Commission to grant intervention to a person who has an interest different from that of the general public and which may be adversely affected by a final order arising from the case, or if granting

intervention would serve the public interest. Upon review of the unopposed applications, the Commission finds that the applicants meet the standard in Commission Rule 4 CSR 240-2.075(3). Therefore, the Commission will grant the applications to intervene.

The Commission has authority to approve tariff sheets pursuant to sections 393.140(11) and 393.150, RSMo 2000. Based upon the lack of objections, Staff's favorable recommendation, as well as the Commission's independent review, the Commission will approve the tariff sheets.

Commission Rules 4 CSR 240-2.060(4) and 4 CSR 240-13.065(1) allow the Commission to grant variances from Commission rules for good cause shown. Although Ameren Missouri seeks a variance from portions of the Commission's rules which will conflict with statutory language once HB 142 goes into effect on August 28th, section 536.014(2), RSMo 2000, states that no commission rule is considered valid if it is in conflict with state law. The Commission recognizes that Ameren Missouri is seeking certain variances to avoid the appearance of an inconsistency regarding the phase-out of solar rebates and the transfer of Renewable Energy Credits. Upon review of Ameren Missouri's request, Staff's recommendation, the Commission's rules, pertinent statutes and House Bill No. 142, the Commission finds that Ameren Missouri has shown good cause in its requests for variance.

THE COMMISSION ORDERS THAT:

1. Union Electric Company, d/b/a Ameren Missouri's requests for variance are granted.

2. The Commission approves tariff Tracking No. YE-2014-0045, which is the tariff Union Electric Company, d/b/a Ameren Missouri filed on July 29, 2013 with an effective date of August 28, 2013. The specific tariff sheets approved are:

P.S.C.MO.No. 6

1st Revised Sheet No. 88, CANCELLING Original Sheet No. 88
1st Revised Sheet No. 88.1, CANCELLING Original Sheet No. 88.1
Original Sheet No. 88.2
Original Sheet No. 88.3
1st Revised Sheet No. 171.6, CANCELLING Original Sheet No. 171.6
1st Revised Sheet No. 171.9, CANCELLING Original Sheet No. 171.9
1st Revised Sheet No. 171.10, CANCELLING Original Sheet No. 171.10
1st Revised Sheet No. 171.11, CANCELLING Original Sheet No. 171.11
1st Revised Sheet No. 171.12, CANCELLING Original Sheet No. 171.12
1st Revised Sheet No. 171.14, CANCELLING Original Sheet No. 171.14
Original Sheet No. 171.15

3. Missouri Solar Energy Industries Association's application to intervene is granted.
4. Missouri Department of Natural Resources' application to intervene is granted.
5. This order shall become effective on August 28, 2013.
6. This file will be closed on August 29, 2013.

BY THE COMMISSION



Morris L. Woodruff

Morris L. Woodruff
Secretary

R. Kenney, Chm., Jarrett, Stoll, and
W. Kenney, CC., concur.

Burton, Regulatory Law Judge