

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

In the Matter of a Petition To Interpret 20 CSR )  
4240-20.065 And Establish The Status and ) File No. EO-2021-0408  
Eligibility of the Members of the St. James )  
Solar Farm Association to Receive Net- )  
Metering Credits )

**EVERGY MISSOURI METRO AND EVERGY MISSOURI WEST RESPONSE TO  
ST. JAMES SOLAR FARM ASSOCIATION PETITION**

COMES NOW, Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“Evergy Missouri Metro”) and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“Evergy Missouri West”) (collectively, “Evergy” or the “Company”) and hereby submit to the Missouri Public Service Commission (“Commission”) Evergy’s *Response* (“Response”) to St. James Solar Farm Association’s (“SJSFA”) *Petition to Interpret Net-Metering Regulations* (“Petition”), and state as follows:

1. The Net Metering and Easy Connection statute (Section 386.890 RSMo., “Net Metering Statute”) requires Missouri utilities to offer net metering to Missouri customers who have a small renewable energy system of less than 100kW on their home or business. The customer receives a credit on his electric bill equal to the utility’s retail rate to offset his energy usage as well as a bill credit for any excess generation produced at the avoided fuel rate. This construct is intended to provide support for the adoption of customer generation.

2. SJSFA’s Petition asks the Commission to interpret the Commission’s net metering regulations (20 CSR 4240-20.065) enacted under the Net Metering Statute so that a “virtual” renewable energy system, which is not located at the customer’s premise, will qualify for net metering benefits. Specifically, SJSFA wants the Commission to determine that a proposed solar farm that uses fractional interests in equipment and facilities will meet the

Commission's rulemaking requirements concerning property ownership and intended use and to use this determination to amend its current net metering rule. SJSFA petition at para. 13.

3. Many of the rule requirements that SJSFA wants the Commission to change are provisions of the Net Metering Statute and cannot be changed by the Commission merely by amending its net metering rule. For example, section 3(b) of the Net Metering Statute requires that a "customer-generator" be the owner or operator of a generation unit that has a generating capacity of no more than 100 kilowatts and is on a premises owned operated leased or controlled by the customer-generator. It does not appear that the SJSFA's proposed solar farm meets this statutory criteria.

4. SJSFA's request is far reaching and seeks to change effect and impact of the Net Metering Statute. Instead of being limited to renewable energy systems that are subject to the constraints of the customer's structure size, SJSFA wants the Net Metering Statute to apply to "greenfield" solar farms. The Company does not believe that such dramatic change can be accomplished in a rulemaking and therefore requests that the Commission deny SJSFA's Petition.

5. In addition, section 386.890.2(9) of the Net Metering Statute limits the Commission's authority to promulgate rules related to net-metering to "public utilities." Evergy does not believe that the Commission has the authority to modify its rules to impact interconnection with a municipal utility.

**WHEREFORE**, Evergy Missouri Metro and Evergy Missouri West respectfully request the Commission issue an order dismissing SJSFA's Petition.

Respectfully submitted,

/s/ Roger W. Steiner

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**Attorneys for Evergy Missouri Metro and Evergy  
Missouri West**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing *Response* was served via e-mail on this 8<sup>th</sup> day of July 2021 upon counsel for all parties of record.

/s/ Roger W. Steiner

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