

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Consideration of Adoption)
of the PURPA Section 111(d)(12) Fuel Sources) **Case No. EO-2006-0494**
Standard as Required by Section 1251 of the)
Energy Policy Act of 2005)

ORDER DIRECTING NOTICE, ESTABLISHING TIME FOR FILING
RECOMMENDATIONS, SETTING DATE FOR SUBMISSION
OF INTERVENTION REQUESTS AND SETTING DATE FOR FILING A
PROCEDURAL SCHEDULE

Issue Date: June 23, 2006

Effective Date: June 23, 2006

On June 22, 2006, the Staff of the Missouri Public Service Commission filed a motion requesting that the Commission establish a case, provide notice, set an intervention deadline and schedule an early prehearing conference for the purpose of establishing a record of consideration and a determination as to whether to adopt the Fuel Sources Standard established in Section 1251 of the Energy Policy Act of 2005 ("EPAAct"). Pursuant to EPAAct, the Commission is required to commence consideration of this standard no later than August 8, 2007, and is further required to make a determination no later than August 8, 2008.

EPAAct amended various portions of the Public Utility Regulatory Policies Act of 1978 ("PURPA"). EPAAct incorporated five new standards in PURPA section 111(d), i.e. PURPA section 111(d)(11)-(15). In order to comply with EPAAct, the Commission must

consider and determine whether to adopt each of the new section 111(d) standards with respect to each electrical utility.

Upon review of the application, the Commission finds that the motion should be granted to establish a case, and that notice should be sent to interested persons and an intervention date set. The Commission will direct Staff, the Office of the Public Counsel and all proper parties to jointly file a proposed procedural schedule.

The Commission determines that notice of this action should be given by the Commission's Data Center sending a copy of this order to all of the electrical utilities in the state of Missouri, to the Department of Natural Resources of the State of Missouri, and to all other persons listed in Appendix A of Staff's Motion. The Commission further determines that the information officer of the Commission should provide notice to all members of the General Assembly. Staff will be directed to file a recommendation as to if any other entities should receive notice of this action.

The Commission finds that proper persons wishing to intervene shall have thirty (30) days from the date of this order to file an application to intervene with the Secretary of the Commission and shall send a copy of the application to intervene to all parties as directed below.

An early prehearing conference will also be scheduled, and will be held simultaneously with the prehearing conference set for cases EO-2006-0493, EO-2006-0495, EO-2006-0496, and EO-2006-0497, addressing other new PURPA section 111(d) standards. The Commission will also require the parties to file a proposed procedural schedule that provides for a hearing if requested.

IT IS ORDERED THAT:

1. The Staff of the Missouri Public Service Commission's motion to open a case is granted.
2. The Missouri Public Service Commission's Data Center is ordered to serve notice as set out herein.
3. The Missouri Public Service Commission's information officer is ordered to serve notice as set out herein.
4. Staff is ordered to submit a recommendation as to if any other party should be notified about this action no later than June 28, 2006.
5. Any interested person wishing to intervene in this case shall file an application to intervene on or before July 24, 2006, with:

Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and serve a copy on:

Steve Dottheim
Chief Deputy General Counsel
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and

Dennis L. Frey
Senior Counsel
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

6. The parties shall appear at a prehearing conference to be held on August 4, 2006, beginning at 10:00 a.m. The prehearing conference will be held in Room 305 at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a building that meets the accessibility standards required by the Americans with Disabilities Act. Any person needing additional accommodations to participate in this prehearing conference should call the Public Service Commission's Hotline at 1-800-392-4211 or dial Relay Missouri at 711 prior to the conference.

7. Any party wishing to appear by telephone shall notify the Regulatory Law Judge by calling 573-522-8459 no later than July 28, 2006.

8. The parties shall jointly prepare and file a proposed procedural schedule no later than August 11, 2006.

9. This order shall become effective on June 23, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 23rd day of June, 2006.