



4. Commission Rule 4 CSR 240-20.100(7)(D) states “the staff of the commission shall examine each electric utility’s annual RES compliance report and RES compliance plan and file a report of its review with the commission within forty-five days of the filing...”

5. However, Commission Rule 4 CSR 240-20.100(10) allows the Commission to waive or grant a variance from this forty-five day requirement placed upon Staff for good cause shown. Good cause has been defined as a “...substantial reason or cause which would cause or justify the ordinary person to neglect one of his [legal] duties.”<sup>1</sup>

6. Staff has reviewed the Companies’ filed Plans; however, at present, formal discovery is still being performed by Staff regarding certain issues. Good cause exists for Staff to receive an extension of time to file its report because additional time is needed for Staff to receive the data request responses back from the Companies, which will ensure that Staff provides the Commission with a thorough report regarding the Companies’ filings. Therefore, Staff is requesting from the Commission an extension of time to file its reports regarding the Companies’ 2013 RES Compliance Plan filings until June 30, 2014.

7. At the time of Ag Processing’s filing, Staff had already begun inquiring of the parties in the case to determine whether any would object to Staff’s proposed Motion, but still needed to inquire of Ag Processing. Some parties expressed an interest in having the same amount of additional time to review the responses to Staff’s data requests before filing their responses under Rule 4 CSR 240-20.100 (7)(E). Paragraph (7)(E) allows interested persons or entities to file comments to a utility’s

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<sup>1</sup> *Graham v. State*, 134 N.W. 249, 250 (Neb. 1912).

RES compliance plan or report within forty-five days of the utility's filings. Staff recommends the Commission also extend the filing of responses by persons or entities under paragraph (7)(E) to no later than June 30, 2014, for those that may also prefer to file their comments after May 30, 2014.

**WHEREFORE**, Staff files this Response and Motion and requests the Commission grant Staff and all interested persons or entities an extension until June 30, 2014 to file a report in these matters.

Respectfully submitted,

**/s/ Akayla J. Jones**

Akayla J. Jones  
Assistant Staff Counsel  
Missouri Bar No. 64941

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 526-6036 (Telephone)  
(573) 751-9285 (Fax)  
[akayla.jones@psc.mo.gov](mailto:akayla.jones@psc.mo.gov)

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served electronically on this 28<sup>th</sup> day of May 2014, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

**/s/ Akayla J. Jones**