

# 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 Eligibility of the Members of the St. ) **File No. EO-2021-0408**  
James Solar Farm Association to Receive )  
Net-Metering Credits )

## NOTICE OF DEFICIENCY AND ORDER DIRECTING FILING

Issue Date: May 28, 2021

Effective Date: May 28, 2021

On May 24, 2021, St. James Solar Farm Association (Association) filed a *Petition to Interpret Net-Metering Regulations*. The Association states that attached to its petition are a copies of its Articles of Incorporation,<sup>1</sup> the Association's operating agreement,<sup>2</sup> a Solar Farm Association Participation Agreement,<sup>3</sup> and a municipal utility interconnection agreement. However, none of those documents were attached to the petition. Before taking any action on the petition, the Commission will direct that the Association file the missing items.

In its petition, the Association requests the Commission find that:

- The Association's members are the owners or operators of a qualified electric energy generation unit;<sup>4</sup>
- The Association's members' qualified electric energy generation units are located on premises that are owned, operated, leased, or otherwise controlled by the customer-generator;<sup>5</sup>
- The electricity generated by the Association's members is intended primarily to offset part or all of the customer-generator's own electrical energy requirements;<sup>6</sup> and
- The Association is not an investor-owned utility.

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<sup>1</sup> Petition, para. 1.

<sup>2</sup> Petition, para. 5.

<sup>3</sup> Petition, para. 6.

<sup>4</sup> *Petition to Interpret Net-Metering Regulations* (Petition), paragraph 10.

<sup>5</sup> Petition, para. 11.

<sup>6</sup> Petition, para. 12.

The petition does not clearly include the legal authority giving the Commission jurisdiction to make the requested findings. Further, although the petition claims that the Commission is not being asked to promulgate a rule as defined in Section 536.010, RSMo (2016), the petition has the heading “Request for Rule-Making” on the 3<sup>rd</sup> page, and in paragraph 9 the petition states, “[a]t issue for purposes of this Petition for Rulemaking. . .” the Commission will direct the Association to clarify and amend its petition as necessary to clearly set out the action it wishes the Commission to take and the statute or rule that authorizes the Commission’s jurisdiction over an interconnection between the Association and the City of St. James’ municipal utility.

**THE COMMISSION ORDERS THAT:**

1. The Association shall file the missing attachments and clarify its petition as indicated above no later than June 17, 2021.
2. This order is effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Nancy Dippell, Deputy Chief Regulatory  
Law Judge by delegation of authority pursuant  
to Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,  
on this 28<sup>th</sup> day of May, 2021.