

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at the Commission's office in Jefferson City on the 4<sup>th</sup> day of August, 2021.

In the Matter of the Establishment of a )  
Working Case Regarding FERC Order 2222 )  
Regarding Participation of Distributed Energy ) **File No. EW-2021-0267**  
Resource Aggregators in Markets Operated )  
by Regional Transmission Organizations and )  
Independent Systems Operators )

**ORDER OFFERING AN OPPORTUNITY TO COMMENT REGARDING  
MODIFICATION OF TEMPORARY BAN ON AGGREGATORS FOR  
COMMERCIAL AND INDUSTRIAL CUSTOMERS**

Issue Date: August 4, 2021

Effective Date: August 4, 2021

The Commission opened this working file on February 23, 2021, and directed its Staff to investigate and recommend an appropriate response from the Commission to Order 2222 issued by the Federal Energy Regulatory Commission (FERC) on September 17, 2020. That order amends FERC's regulation to remove barriers to the participation of distributed energy resource aggregators in the capacity, energy, and ancillary service markets operated by Regional Transmission Organizations and Independent System Operators (RTO/ISO).

After gathering and assessing comments from interested stakeholders, Staff filed a report on April 30, 2021. Staff did not reach any conclusions about the Commission's response to FERC Order 2222 and subsequent clarifying orders, but recommended the matter be further studied through a series of workshop meetings with stakeholders. An

initial workshop was held on June 29, 2021. One of the topics discussed at that workshop was the operation in Missouri of Aggregators of Retail Customers (ARCs)

In an order issued on March 31, 2010, the Commission prohibited the operation in Missouri of ARCs.<sup>1</sup> That prohibition remains in place until further order of the Commission. In light of recent developments, the Commission is considering whether that prohibition should be modified as applied to commercial and industrial customers. In considering that question, the Commission would like to have input from interested stakeholders. Specifically, the Commission invites comments addressing:

- Whether the Commission should modify the current prohibition on the operation of ARCs in Missouri?
- What modifications should be made to the current prohibition?
- What impact would a modification to permit operation of ARCs for commercial and industrial customers have on existing MEEIA programs?
- What impact would a modification to permit operation of ARCs for commercial and industrial customers have on the commercial and industrial customers?
- What impact would a modification to permit operation of ARCs for commercial and industrial customers have on non-commercial and non-industrial customers?
- Are any changes to the Commission's existing rules necessary?

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<sup>1</sup> *In the Matter of an Investigation into the Coordination of State and Federal Regulatory Policies for Facilitating the Deployment of all Cost-Effective Demand-Side Savings to Electric Customers of All Classes Consistent with the Public Interest.* Order Temporarily Prohibiting the Operation of Aggregators of Retail Customers, File No. EW-2010-0187, March 31, 2010. The order specifically states: "Demand response load reductions of customers of the four Missouri electric utilities regulated by the Commission are prohibited from being transferred to ISO or RTO markets directly by retail customers or third party ARCs."

The Commission will direct its Staff to consider any comments received and to file a report responsive to those comments.

**THE COMMISSION ORDERS THAT:**

1. Any interested stakeholder wishing to comment regarding the questions identified in the body of this order shall do so no later than September 1, 2021.
2. Staff shall file a report regarding the comments received no later than October 1, 2021.
3. This order shall be effective when issued.



**BY THE COMMISSION**

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

Morris L. Woodruff  
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and  
Kolkmeier CC., concur.

Woodruff, Chief Regulatory Law Judge


**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 4<sup>th</sup> day of August, 2021.**



  
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**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**August 4, 2021**

**File/Case No. EW-2021-0267**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff**  
**Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.