at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements

PROPOSED RESCISSION

4 CSR 240-3.565 Procedure for Telecommunications Companies That File Bankruptcy. This rule set forth the procedure for certificated telecommunications companies and their affiliates that filed bankruptcy.

PURPOSE: This rule is rescinded in its entirety because the subject matter is consolidated into Chapter 28.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed March 19, 2004, effective Nov. 30, 2004. Rescinded: Filed April 1, 2015.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before June 29, 2015, and should include a reference to Commission Case No. TX-2015-0097. Comments may also be submitted via a filing using the commission's electronic filing and information system at http://www.psc.mo.gov/efis.asp. A public hearing regarding this proposed rescission is scheduled for July 6, 2015, at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 20—Electric Utilities

PROPOSED AMENDMENT

4 CSR 240-20.065 Net Metering. The commission is amending sections (1), (3), (5), (6), (9), and the form which follows the rule in the *Code of State Regulations*.

PURPOSE: This amendment modifies standards for interconnection of qualified net metering units (generating capacity of one hundred kilowatts (100 kW) or less) with distribution systems of electric utilities to accommodate changes as a result of HB 142, 97th General Assembly, and to provide clarity on issues that have been identified since the rule was last amended effective Aug. 30, 2012.

(1) Definitions.

(G) Operational means all of the major components of the on-site system have been purchased and installed on the customer-generator's premises and the production of rated net electrical generation has been measured by the utility.

*[(G)]***(H)** REC means Renewable Energy Credit or Renewable Energy Certificate which is tradable, and represents that one (1) megawatt-hour of electricity has been generated from a renewable energy resource.

*[(H)]***(I)** Renewable energy resources means, **when used to produce** electrical energy, *[produced from]* **the following:** wind, solar thermal sources, hydroelectric sources, photovoltaic cells and panels, fuel cells using hydrogen produced by one (1) of the above-named electrical energy sources, and other sources of energy that become available after August 28, 2007, and are certified as renewable by the Missouri Department of Natural Resources*[.]* **or the Missouri Department of Economic Development's Division of Energy.**

*[(I)]***(J)** Staff means the staff of the Public Service Commission of the state of Missouri.

(3) REC Ownership. RECs associated with customer-generated net-metered renewable energy resources shall be owned by the customer-generator**; however,** *[until explicitly transferred to another entity. Nothing in this rule gives the electric utility any preferential entitlement to the RECs generated by the customer-generator's qualified electric energy generation system.]* **as a condition of receiving solar rebates for systems operational after August 28, 2013, customers transfer to the electric system all right, title, and interest in and to the RECs associated with the new or expanded solar electric system that qualified the customer for the solar rebate for a period of ten (10) years from the date the electric utility confirmed the solar electric system was installed and operational.**

(5) Customer-Generator Liability Insurance Obligation.

(B) Customer-generator systems ten kilowatts (10 kW) or less shall not be required to carry liability insurance.*[; however, any tariff or contract offered by a utility to customer-generators shall contain language stating that absent clear and convincing evidence of fault on the part of the retail electric supplier, those retail electric suppliers cannot be held liable for any action or cause of action relating to any damages to property or persons caused by the generation unit of a customer-generator or the interconnection thereof pursuant to section 386.890.11., RSMo. Further, any tariff or contract offered by utilities to customer-generators shall state that customer-generators may have legal liabilities not covered under their existing insurance policy in the event the customer-generator's negligence or other wrongful conduct causes personal injury (including death), damage to property, or other actions and claims.]*

(6) Qualified Electric Customer-Generator Obligations.

(A) Each qualified electric energy generation unit used by a customer-generator shall meet all applicable safety, performance, interconnection, and reliability standards established by any local code authorities, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers (IEEE), and Underwriters Laboratories (UL) for distributed generation; including, but not limited to, IEEE 1547, **UL 1703,** and UL 1741.

(C) No *[consumer]* **customer** shall connect or operate an electric generation unit in parallel phase and synchronization with any electric utility without written approval by said electric utility that all of the requirements under subsection (9)(C) of this rule have been met. For a customer-generator who violates this provision, an electric utility may immediately and without notice disconnect the electric facilities of said customer-generator and terminate said customer-generator's electric service.

(9) Interconnection **Application**/Agreement.

(A) Each customer-generator and electric utility shall enter into the interconnection agreement included herein.

1. If the electric utility so chooses, it may allow customers to apply electronically through the electric utility's website.

A. The interconnection **application**/agreement on the electric utility's website shall substantially be the same as the interconnection **application**/agreement included herein.

B. The electronic **application**/agreement shall be submitted to the manager of the Energy Unit of the staff for review by staff prior to being placed on the electric utility's website.

C. The electric utility shall notify the manager of the Energy Unit of the staff of any revisions to the electronic **application**/agreement on its website within ten (10) working days of when the electronic agreement is revised.

(B) References to a solar rebate in the interconnection **application**/agreement included herein are not required for electric utilities that are not required to offer solar rebates.

(D) Upon the change in ownership of a qualified electric energy generation unit, the new customer-generator shall be responsible for filing a new application/**agreement**.

INTERCONNECTION APPLICATION/AGREEMENT FOR NET METERING SYSTEMS WITH CAPACITY OF ONE HUNDRED KILOWATTS (100 kW) OR LESS

[Utility Name and Mailing Address]

For Customers Applying for Interconnection:

If you are interested in applying for interconnection to [Utility Name]'s electrical system, you should first contact [Utility Name] and ask for information related to interconnection of parallel generation equipment to [Utility Name]'s system and you should understand this information before proceeding with this Application.

If you wish to apply for interconnection to [Utility Name]'s electrical system, please complete sections A, B, C, and D, and attach the plans and specifications, including, but not limited to, describing the net metering, parallel generation, and interconnection facilities (hereinafter collectively referred to as the "Customer-Generator's System") and submit them to [Utility Name] at the address above. The company will provide notice of approval or denial within thirty (30) days of receipt by [Utility Name] for Customer-Generators of ten kilowatts (10 kW) or less and within ninety (90) days of receipt by [Utility Name] for Customer-Generators of greater than ten kilowatts (10 kW). If this Application is denied, you will be provided with the reason(s) for the denial. If this Application is approved and signed by both you and [Utility Name], it shall become a binding contract and shall govern your relationship with [Utility Name].

For Customers Who Have Received Approval of Customer-Generator System Plans and Specifications:

After receiving approval of your Application, it will be necessary to construct the Customer-Generator System in compliance with the plans and specifications described in the Application, complete sections E and F of this Application, and forward this Application to [Utility Name] for review and completion of section G at the address above. Prior to the interconnection of the qualified generation unit to [Utility Name] system, the Customer-Generator will furnish [Utility Name] a certification from a qualified professional electrician or engineer that the installation meets the plans and specification described in the application. If a local Authority Having Jurisdiction (AHJ) requires permits or certifications for construction or operation of the qualified generation unit, a customer generator must show the permit number and approval certification to the [Utility Name] prior to interconnection. If the application for interconnection is approved by [Utility Name] and the Customer-Generator does not complete the interconnection within one (1) year after receipt of notice of the approval, the approval shall expire and the Customer-Generator shall be responsible for filing a new application.

Within 21 days of when the customer-generator completes submission of all required post construction documentation, including sections E&F, other supporting documentation and local AHJ inspection approval (if applicable) to the electric utility, the electric utility will make any inspection of the customer-generators interconnection equipment or system it deems necessary and notify the customer-generator:

1. That the net meter has been set and parallel operation by customer generator is permitted; or,

2. That the inspection identified no deficiencies and the net meter installation is pending; or,
3. That the inspection identified no deficiencies and the timeframe anticipated for the electric utility to complete all required system or service upgrades and install the meter; or,
4. Of all deficiencies identified during the inspection that need to be corrected by the customer generator before parallel operation will be permitted; or,
5. Of any other issue(s), requirement(s), or condition(s) impacting the installation of the net meter or the parallel operation of the system.

For Customers Who Are Installing Solar Systems:

Customer-Generators who are Missouri electric utility retail account holders will receive a solar rebate, if available, based on the capacity stated in the application, or the installed capacity of the Customer-Generator System if it is lower, if the following requirements are met:

a. The [Utility Name] must have confirmed the Customer-Generator's system is operational; and,
b. Sections H and I of this Application must be completed.

The amount of the rebate will be based on the system capacity measured in direct current. The rebate will be based on the schedule below up to a maximum of 25, 000 watts (25kW).

$2.00 per watt for systems operational on or before June 30, 2014;
$1.50 per watt for systems operational between July 1, 2014 and June 30, 2015;
$1.00 per watt for systems operational between July 1, 2015 and June 30, 2016;
$0.50 per watt for systems operational between July 1, 2016 and June 30, 2019;
$0.25 per watt for systems operational between July 1, 2019 and June 30, 2020;
$0.00 per watt for systems operational after June 30, 2020.

For Customers Who Are Assuming Ownership or Operational Control of an Existing Customer-Generator System:

If no changes are being made to the existing Customer-Generator System, complete sections A, D, and F of this Application/Agreement and forward to [Utility Name] at the address above. [Utility Name] will review the new Application/Agreement and shall approve such, within fifteen (15) days of receipt by [Utility Name] if the new Customer-Generator has satisfactorily completed Application/Agreement, and no changes are being proposed to the existing Customer-Generator System. There are no fees or charges for the Customer-Generator who is assuming ownership or operational control of an existing Customer-Generator System if no modifications are being proposed to that System.

A. Customer-Generator's Information

Name on [Utility Name] Electric Account: ______________________________

Service/Street Address: ______________________________

City: ______________________________ State: ________ Zip Code: ________
Mailing Address (if different from above): ______________________________
City: ______________________________ State: ________ Zip Code: ________
E-mail address (if available): ______________________________
Electric Account Holder Contact Person: ______________________________
Daytime Phone: ______________ Fax: ______________ Email: ______________
Emergency Contact Phone: ______________________________
[Utility Name] Account No. (from Utility Bill): ______________________________
If account has multiple meters, provide the meter number to which generation will be connected: ________

[Utility Name] Account No. (from Utility Bill): [Shall be inserted at the top of each page.]

B. Customer-Generator's System Information
Manufacturer Name Plate Power Rating: ____________ kW AC or DC (circle one)
System Type: __Wind __Fuel Cell __Solar Thermal __Photovoltaic __Hydroelectric __Other (describe)______________________________
Inverter/Interconnection Equipment Manufacturer: ______________________________
Inverter/Interconnection Equipment Model No.: ______________________________
Outdoor Manual/Utility Accessible & Lockable Disconnect Switch Distance from Meter: ______
Certify that the disconnect switch will be located adjacent to the Customer-Generator's electric service meter or explain where and why an alternative location of disconnect switch is being requested: ______________________________
____
Existing Electrical Service Capacity: ______ Amperes Voltage: ______ Volts
Service Character: __ Single Phase __ Three Phase
Total capacity of existing Customer-Generator System (if applicable): ______ kW

System Plans, Specifications, and Wiring Diagram must be <u>attached</u> for a valid application.

C. Installation Information/Hardware and Installation Compliance
Company Installing System: ______________________
Contact Person of Company Installing System: ______________ Phone Number: ________
Contractor's License No. (if applicable): ______________________________
Approximate Installation Date: ______________________________
Mailing Address: ______________________________
City: ______________________________ State: ________ Zip Code: ________
Daytime Phone: ______________ Fax: ______________ Email: ______________
Person or Agency Who Will Inspect/Certify Installation: ______________________________

The Customer-Generator's proposed System hardware complies with all applicable National Electrical Safety Code (NESC), National Electrical Code (NEC), Institute of Electrical and Electronics Engineers (IEEE), and Underwriters Laboratories (UL) requirements for electrical equipment and their installation. As applicable to System type, these requirements include, but are not limited to, UL 1703, UL 1741 and IEEE 1547. The proposed installation complies with all applicable local electrical codes and all reasonable safety requirements of [Utility Name]. The proposed System has a lockable, visible AC disconnect device, accessible at all times to [Utility Name] personnel and switch is located adjacent to the Customer-Generator's electric service meter (except in cases where the Company has approved an alternate location). The System is only required to include one lockable, visible disconnect device, accessible to [Utility Name]. If the interconnection equipment is equipped with a visible, lockable, and accessible disconnect, no redundant device is needed to meet this requirement. The Customer-Generator's proposed System has functioning controls to prevent voltage flicker, DC injection, overvoltage, undervoltage, overfrequency, underfrequency, and overcurrent, and to provide for System synchronization to [Utility Name]'s electrical system. The proposed System does have an anti-islanding function that prevents the generator from continuing to supply power when [Utility Name]'s electric system is not energized or operating normally. If the proposed System is designed to provide uninterruptible power to critical loads, either through energy storage or back-up generation, the proposed System includes a parallel blocking scheme for this backup source that prevents any backflow of power to [Utility Name]'s electrical system when the electrical system is not energized or not operating normally.

Signed (Installer): ______________________________ Date: ____________________

D. Additional Terms and Conditions

In addition to abiding by [Utility Name]'s other applicable rules and regulations, the Customer-Generator understands and agrees to the following specific terms and conditions:

1) Operation/Disconnection

If it appears to [Utility Name], at any time, in the reasonable exercise of its judgment, that operation of the Customer-Generator's System is adversely affecting safety, power quality, or reliability of [Utility Name]'s electrical system, [Utility Name] may immediately disconnect and lock-out the Customer-Generator's System from [Utility Name]'s electrical system. The Customer-Generator shall permit [Utility Name]'s employees and inspectors reasonable access to inspect, test, and examine the Customer-Generator's System.

2) Liability

Liability insurance is not required for Customer-Generators of ten kilowatts (10 kW) or less. For generators greater that ten kilowatts (10 kW), the Customer-Generator agrees to carry no less than one hundred thousand dollars ($100,000) of liability insurance that provides for coverage of all risk of liability for personal injuries (including death) and damage to property arising out of or caused by the operation of the Customer-Generator's System. Insurance may be in the form of an existing policy or an endorsement on an existing policy. Customer-Generators, including those whose systems are ten kilowatts (10 kW) or less, may have legal liabilities not covered under their existing insurance policy in the event the Customer-Generator's negligence or other wrongful conduct causes personal injury (including death), damage to property, or other actions and claims.

3) Metering and Distribution Costs

A Customer-Generator's facility shall be equipped with sufficient metering equipment that can measure the net amount of electrical energy produced or consumed by the Customer-Generator. If the Customer-Generator's existing meter equipment does not meet these requirements or if it is necessary for [Utility Name] to install additional distribution equipment to accommodate the Customer-Generator's facility, the Customer-Generator shall reimburse [Utility Name] for the costs to purchase and install the necessary additional equipment. At the request of the Customer-Generator, such costs may be initially paid for by [Utility Name], and any amount up to the total costs and a reasonable interest charge may be recovered from the Customer-Generator over the course of up to twelve (12) billing cycles. Any subsequent meter testing, maintenance, or meter equipment change necessitated by the Customer-Generator shall be paid for by the Customer-Generator.

4) **Ownership of Renewable Energy Credits or Renewable Energy Certificates (RECs)**

RECs created through the generation of electricity by the Customer-Owner are owned by the Customer-Generator; however, if the Customer-Generator receives a solar rebate, the Customer-Generator transfers to the [Utility Name] all right, title and interest in and to the RECs associated with the new or expanded solar electric system that qualified the Customer-Generator for the solar rebate for a period of ten (10) years from the date the electric utility confirms the solar electric system is installed and operational.

5) **Energy Pricing and Billing**

The net electric energy delivered to the Customer-Generator shall be billed in accordance with the Utility's Applicable Rate Schedules [Utility's Applicable Rate Schedules]. The value of the net electric energy delivered by the Customer-Generator to [Utility Name] shall be credited in accordance with the net metering rate schedule(s) [Utility's Applicable Rate Schedules]. The Customer-Generator shall be responsible for all other bill components charged to similarly situated customers.

Net electrical energy measurement shall be calculated in the following manner:

(a) For a Customer-Generator, a retail electric supplier shall measure the net electrical energy produced or consumed during the billing period in accordance with normal metering practices for customers in the same rate class, either by employing a single, bidirectional meter that measures the amount of electrical energy produced and consumed, or by employing multiple meters that separately measure the Customer-Generator's consumption and production of electricity;

(b) If the electricity supplied by the supplier exceeds the electricity generated by the Customer-Generator during a billing period, the Customer-Generator shall be billed for the net electricity supplied by the supplier in accordance with normal practices for customers in the same rate class;

(c) If the electricity generated by the Customer-Generator exceeds the electricity supplied by the supplier during a billing period, the Customer-Generator shall be billed for the appropriate minimum bill as specified by the applicable Customer-Generator rate schedule for that billing period and shall be credited an amount for the excess kilowatt-hours generated during the billing period at the net metering rate identified in [Utility Name]'s tariff filed at the Public Service Commission, with this credit applied to the following billing period; and

(d) Any credits granted by this subsection shall expire without any compensation at the earlier of either twelve (12) months after their issuance, or when the Customer-Generator disconnects service or terminates the net metering relationship with the supplier.

6) **Terms and Termination Rights**

This Agreement becomes effective when signed by both the Customer-Generator and [Utility Name], and shall continue in effect until terminated. After fulfillment of any applicable initial tariff or rate schedule term, the Customer-Generator may terminate this Agreement at any time by giving [Utility Name] at least thirty (30) days prior written notice. In such event, the Customer-Generator shall, no later than the date of termination of Agreement, completely disconnect the Customer-Generator's System from parallel operation with [Utility Name]'s system. Either party may terminate this Agreement by giving the other party at least thirty (30) days prior written notice that the other party is in default of any of the terms and conditions of this Agreement, so long as the notice specifies the basis for termination, and there is an opportunity to cure the default. This Agreement may also be terminated at any time by mutual agreement of the Customer-Generator and [Utility Name]. This agreement may also be terminated, by approval of the commission, if there is a change in statute that is determined to be applicable to this contract and necessitates its termination.

7) <u>Transfer of Ownership</u>

If operational control of the Customer-Generator's System transfers to any other party than the Customer-Generator, a new Application/Agreement must be completed by the person or persons taking over operational control of the existing Customer-Generator System. [Utility Name] shall be notified no less than thirty (30) days before the Customer-Generator anticipates transfer of operational control of the Customer-Generator's System. The person or persons taking over operational control of Customer-Generator's System must file a new Application/Agreement, and must receive authorization from [Utility Name], before the existing Customer-Generator System can remain interconnected with [Utility Name]'s electrical system. The new Application/Agreement will only need to be completed to the extent necessary to affirm that the new person or persons having operational control of the existing Customer-Generator System completely understand the provisions of this Application/Agreement and agree to them. If no changes are being made to the Customer-Generator's System, completing sections A, D, and F of this Application/Agreement will satisfy this requirement. If no changes are being proposed to the Customer-Generator System, [Utility Name] will assess no charges or fees for this transfer. [Utility Name] will review the new Application/Agreement and shall approve such, within fifteen (15) days if the new Customer-Generator has satisfactorily completed the Application/Agreement, and no changes are being proposed to the existing Customer-Generator System. [Utility Name] will then complete section G and forward a copy of the completed Application/Agreement back to the new Customer-Generator, thereby notifying the new Customer-Generator that the new Customer-Generator is authorized to operate the existing Customer-Generator System in parallel with [Utility Name]'s electrical system. If any changes are planned to be made to the existing Customer-Generator System that in any way may degrade or significantly alter that System's output characteristics, then the Customer-Generator shall submit to [Utility Name] a new Application/Agreement for the entire Customer-Generator System and all portions of the Application/Agreement must be completed.

8) <u>Dispute Resolution</u>

If any disagreements between the Customer-Generator and [Utility Name] arise that cannot be resolved through normal negotiations between them, the disagreements may be brought to the Missouri Public Service Commission by either party, through an informal or formal complaint. Procedures for filing and processing these complaints are described in 4 CSR 240-2.070. The complaint procedures described in 4 CSR 240-2.070 apply only to retail electric power suppliers to the extent that they are regulated by the Missouri Public Service Commission.

9) Testing Requirement

IEEE 1547 requires periodic testing of all interconnection related protective functions. The Customer-Generator must, at least once every year, conduct a test to confirm that the Customer-Generator's net metering unit automatically ceases to energize the output (interconnection equipment output voltage goes to zero) within two (2) seconds of being disconnected from [Utility Name]'s electrical system. Disconnecting the net metering unit from [Utility Name]'s electrical system at the visible disconnect switch and measuring the time required for the unit to cease to energize the output shall satisfy this test. The Customer-Generator shall maintain a record of the results of these tests and, upon request by [Utility Name], shall provide a copy of the test results to [Utility Name]. If the Customer-Generator is unable to provide a copy of the test results upon request, [Utility Name] shall notify the Customer-Generator by mail that Customer-Generator has thirty (30) days from the date the Customer-Generator receives the request to provide to [Utility Name], the results of a test. If the Customer-Generator's equipment ever fails this test, the Customer-Generator shall immediately disconnect the Customer-Generator's System from [Utility Name]'s system. If the Customer-Generator does not provide results of a test to [Utility Name] within thirty (30) days of receiving a request from [Utility Name] or the results of the test provided to [Utility Name] show that the Customer-Generator's net metering unit is not functioning correctly, [Utility Name] may immediately disconnect the Customer-Generator's System from [Utility Name]'s system. The Customer-Generator's System shall not be reconnected to [Utility Name]'s electrical system by the Customer-Generator until the Customer-Generator's System is repaired and operating in a normal and safe manner.

I have read, understand, and accept the provisions of section D, subsections 1 through 9 of this Application/Agreement.

Printed name: ____

Signed (Customer-Generator):______________________________ Date: ____________
Must be signature of [Utility Name] account holder (customer)

E. Electrical Inspection
If a local Authority Having Jurisdiction (AHJ) governs permitting/inspection of project:
Authority Having Jurisdiction (AHJ): ______________________________
Permit Number: ______________________________

Applicable to all installations:
The Customer-Generator System referenced above satisfies all requirements noted in section C.
Inspector Name (print):______________________________________
Inspector Certification: Licensed Engineer in Missouri ___ Licensed Electrician in Missouri ___
License No.____

Signed (Inspector): ______________________________ Date: ____________

F. Customer-Generator Acknowledgement

I am aware of the Customer-Generator System installed on my premises and I have been given warranty information and/or an operational manual for that system. Also, I have been provided with a copy of [Utility Name]'s parallel generation tariff or rate schedule (as applicable) and interconnection requirements. I am familiar with the operation of the Customer-Generator System.

I agree to abide by the terms of this Application/Agreement and I agree to operate and maintain the Customer-Generator System in accordance with the manufacturer's recommended practices as well as [Utility Name]'s interconnection standards. If, at any time and for any reason, I believe that the Customer-Generator System is operating in an unusual manner that may result in any disturbances on [Utility Name]'s electrical system, I shall disconnect the Customer-Generator System and not reconnect it to [Utility Name]'s electrical system until the Customer-Generator System is operating normally after repair or inspection. Further, I agree to notify [Utility Name] no less than thirty (30) days prior to modification of the components or design of the Customer-Generator System that in any way may degrade or significantly alter that System's output characteristics. I acknowledge that any such modifications will require submission of a new Application/Agreement to [Utility Name].

I agree not to operate the Customer-Generator System in parallel with [Utility Name]'s electrical system until this Application/Agreement has been approved by [Utility Name].

System Installation Date: ____________________
Printed name (Customer-Generator): ____
Signed (Customer-Generator): ____________________________________ Date:______________

G. Utility Application/Agreement Approval (*completed by* [Utility Name])

[Utility Name] does not, by approval of this Application/Agreement, assume any responsibility or liability for damage to property or physical injury to persons due to malfunction of the Customer-Generator's System or the Customer-Generator's negligence.

This Application is approved by [Utility Name] on this _____day of _____________(month), _____(year).
[Utility Name] Representative Name (print):

____
Signed [Utility Name] Representative:

____

H. Solar Rebate (For Solar Installations only)

Solar Module Manufacturer:_________________ Inverter Rating: ___________________kW
Solar Module Model No.:___________________ Number of Modules/Panel: _________
Module rating: ______________DC Watts System rating (sum of solar panels):____kW
Module Warranty: _____ years (circle on spec sheet)
Inverter Warranty: _____ years (circle on spec sheet)
Location of modules: ____Roof ___Ground Installation type: ____ Fixed ___Ballast

Solar system must be permanently installed on the applicant's premises for a valid application

Required documents to receive solar rebate to be attached OR provided before [Utility Name] authorizes the rebate payment:

Copies of detail receipts/invoices with purchase date circled
Copies of detail spec sheets on each component
Copies of proof of warranty sheet (minimum of 10 year warranty)
Photo(s) of completed system
Completed Taxpayer Information Form

I. Solar Rebate Declaration (For Solar Installations only)

I understand that the complete terms and conditions of the solar rebate program are included in [Utility Name] [solar rebate tariff name].

I understand that this program has a limited budget, and that application will be accepted on a first-come, first-served basis, while funds are available. It is possible that I may be notified I have been placed on a waiting list for the next year's rebate program if funds run out for the current year. This program may be modified or discontinued at any time without notice from [Utility Name].

I understand that the solar system must be permanently installed and remain in place on premises for the duration of its useful life -- a minimum of 10 years and the system shall be situated in a location where a minimum of eighty-five percent (85%) of the solar resource is available to the solar system.

I understand the equipment must be new when installed, commercially available, and carry a minimum 10 year warranty.

I understand a rebate may be available from [Utility Name] in the amount of:

$2.00 per watt for systems operational on or before June 30, 2014;
$1.50 per watt for systems operational between July 1, 2014 and June 30, 2015;
$1.00 per watt for systems operational between July 1, 2015 and June 30, 2016;
$0.50 per watt for systems operational between July 1, 2016 and June 30, 2019;
$0.25 per watt for systems operational between July 1, 2019 and June 30, 2020;
$0.00 per watt for systems operational after June 30, 2020.

I understand an electric utility may, through its tariff, require applications for solar rebates to be submitted up to one hundred eighty-two (182) days prior to the applicable June 30 operational date for the solar rebate.

I understand that a maximum of 25 kilowatts of new or expanded system capacity will be eligible for a rebate.

I understand the DC wattage rating provided by the original manufacturer and as noted in section II will be used to determine rebate amount.

I understand I may receive an IRS Form related to my rebate amount. (Please consult your tax advisor with any questions.)

I understand that as a condition of receiving a solar rebate, I am transferring to [Utility Name] all right, title and interest in and to the solar renewable energy credits (SRECs) associated with the new or expanded system for which they received a solar rebate for a period of ten (10) years from the date [Utility Name] confirmed that the system was installed and operational.

The undersigned warrants, certifies, and represents that the information provided in this form is true and correct to the best of my knowledge; and the installation meets all Missouri Net Metering and Solar Electric Rebate program requirements.

Applicant's Signature	Installer's Signature
Print Solar Rebate Applicant's Name	Print Installer's Name

AUTHORITY: section 386.250, RSMo 2000, and section 386.890.9., RSMo Supp. [2011] ***2013****. Original rule filed March 11, 2003, effective Aug. 30, 2003. Amended: Filed June 17, 2008, effective Feb. 28, 2009. Amended: Filed Feb. 20, 2009, effective Oct. 30, 2009. Amended: Filed Jan. 26, 2012, effective Aug. 30, 2012. Amended: Filed March 25, 2015.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before June 1, 2015, and should include a reference to Commission Case No. EX-2014-0352. Comments may also be submitted via a filing using the commission's electronic filing and information system at http://www.psc.mo.gov/efis.asp. A public hearing regarding this proposed amendment is scheduled for June 11, 2015, at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 20—Electric Utilities

PROPOSED AMENDMENT

4 CSR 240-20.100 Electric Utility Renewable Energy Standard Requirements. The commission is amending sections (1)–(10), adding a new section (7), and renumbering, as necessary.

PURPOSE: This amendment makes changes required by HB 142, 97th General Assembly, clarifies the rule, amends various definitions and sections related to solar rebates, and the calculation of the retail rate impact, and adds provisions related to the amount of solar rebate applicable to specific timeframes.

(1) Definitions. For the purpose of this rule—

(D) Customer-generator means the owner, lessee, or operator of an electric energy generation unit that meets all of the following criteria:

1. Is powered by a renewable energy resource;

2. Is located on premises that are owned, operated, leased, or otherwise controlled by the party as retail account holder and which corresponds to the service address for the retail account;

3. Is interconnected and operates in parallel phase and synchronization with an electric utility and has been approved for interconnection by said electric utility; and

4. Meets all applicable safety, performance, interconnection, and reliability standards *[endorsed by]* **of** the net metering rule, 4 CSR 240-20.065(1)(C)6. and 4 CSR 240-20.065(1)(C)7.

(E) *[Department]* **Division** means the **Division of Energy**, Department of *[Natural Resources]* **Economic Development**;

(G) General rate proceeding means a general rate *[increase proceeding or complaint]* proceeding before the commission *[in which]* **where the commission considers** all relevant factors that may affect the costs or rates and charges of the electric utility *[are considered by the commission]* **when setting rates**;

(I) OPC means the Office of the Public Counsel;

(J) Operational means all of the major components of the on-site solar photovoltaic system have been purchased and installed on the customer generator's premises, and the production of rated net electrical generation has been measured by the utility;

(K) PVWatts™ means the site specific data calculator that uses hourly typical meteorological year weather data and a photovoltaic performance model to estimate annual energy production and costs savings for a photovoltaic system;

*[(I)]***(L)** Rate class means a customer class defined in an electric utility's tariff. Generally, rate classes include Residential, Small General Service, Large General Service, and Large Power Service, but may include additional rate classes. Each rate class includes all customers served under all variations of the rate schedules available to that class;

*[(J)]***(M)** REC, Renewable Energy Credit, or Renewable Energy Certificate means a tradable certificate, that is either certified by an entity approved as an acceptable authority by the commission or as validated through the commission's approved REC tracking system or a generator's attestation. *[Regardless of whether RECs have been certified,]* RECs *[must be]* validated through an attestation **must be** signed by an authorized individual of the company *[owning]* **that owns** the renewable energy resource. Such attestation shall contain the name and address of the generator, the type of renewable energy resource technology, and the time and date of the generation. A*[n]* REC represents that one (1) megawatt-hour of electricity has been generated from renewable energy resources. RECs include, but are not limited to, solar renewable energy credits. A*[n]* REC expires three (3) years from the date the electricity associated with that REC was generated;

*[(K)]***(N)** Renewable energy resource(s) means, **when used to produce** electric energy, *[produced from]* the following:

1. Wind;

2. Solar, including solar thermal sources utilized to generate electricity, photovoltaic cells, or photovoltaic panels;

3. Dedicated crops grown for energy production;

4. Cellulosic agricultural residues;

5. Plant residues;

6. Methane from landfills, **from agricultural operations** or wastewater treatment;

7. Thermal depolymerization or pyrolysis for converting waste material to energy;

*[7.]***8.** Clean and untreated wood, such as pallets;

*[8.]***9.** Hydropower (not including pumped storage) that does not require a new diversion or impoundment of water and that has generator nameplate ratings of ten (10) megawatts or less;

*[9.]***10.** Fuel cells using hydrogen produced by any of the renewable energy technologies in paragraphs 1. through *[8.]***9.** of this subsection; and

*[10.]***11.** Other sources of energy not including nuclear that become available after November 4, 2008, and are certified as renewable by rule by the *[department]* **division**;

*[(L)]***(O)** RES or Renewable Energy Standard means sections 393.1025 and 393.1030, RSMo;

*[(M)]***(P)** RESRAM or Renewable Energy Standard Rate Adjustment Mechanism means a mechanism that allows periodic rate adjustments to recover prudently incurred RES compliance costs and pass-through to customers the benefits of any savings achieved in meeting the requirements of the Renewable Energy Standard;

*[(N)]***(Q)** RES compliance costs means prudently incurred costs,

both capital and expense, directly related to compliance with the Renewable Energy Standard. Prudently incurred costs do not include any increased costs resulting from negligent or wrongful acts or omissions by the electric utility;

*[(O)]***(R)** RES **portfolio** requirements mean the numeric values and other requirements established by section 393.1030.1, RSMo, *[and subsections (2)(C) and (2)(D) of this rule;]* **which are—**

1. No less than two percent (2%) in each calendar year 2011 through 2013;

2. No less than five percent (5%) in each calendar year 2014 through 2017;

3. No less than ten percent (10%) in each calendar year 2018 through 2020; and

4. No less than fifteen percent (15%) in each calendar year beginning in 2021.

5. At least two percent (2%) of each RES portfolio requirement listed in this section shall be derived from solar energy. The RES portfolio requirements for solar energy are—

A. No less than four-hundredths percent (0.04%) in each calendar year 2011 through 2013;

B. No less than one-tenth percent (0.1%) in each calendar year 2014 through 2017;

C. No less than two-tenths percent (0.2%) in each calendar year 2018 through 2020; and

D. No less than three-tenths percent (0.3%) in each calendar year beginning in 2021;

*[(P)]***(S)** The RES revenue requirement means the following:

1. All expensed RES compliance costs (other than taxes and depreciation associated with capital projects) that are included in the electric utility's revenue requirement in the proceeding in which the RESRAM is established, continued, modified, or discontinued; and

2. The costs (i.e., the return, taxes, and depreciation) of any capital projects whose primary purpose is to permit the electric utility to comply with any RES requirement. The costs of such capital projects shall be those identified on the electric utility's books and records as of the last day of the test year, as updated, utilized in the proceeding in which the RESRAM is established, continued, modified, or discontinued;

*[(Q)]***(T)** Solar renewable energy credit or S-REC means a*[n]* REC created by generation of electric energy from solar thermal sources, photovoltaic cells, and photovoltaic panels;

*[(R)]***(U)** Staff means all commission employees, except the secretary to the commission, general counsel, technical advisory staff as defined by section 386.135 RSMo, hearing officer, or administrative or regulatory law judge;

*[(S)]***(V)** Standard Test Conditions means solar incidence of one (1) kilowatt (kW) per square meter and a cell or panel temperature of twenty-five degrees centigrade (25 °C) *[as related to]* **for** measuring the capability of solar electrical generating equipment;

*[(T)]***(W)** Total retail electric sales, or total retail electric energy usage, means the megawatt-hours (MWh) of electricity delivered in a specified time period by an electric utility to its Missouri retail customers as reflected in the retail customers' monthly billing statements; and

*[(U)]***(X)** Utility renewable energy resources mean those renewable energy resources that are owned, controlled, or purchased by the electric utility.

(2) Requirements. Pursuant to the provisions of this rule and sections 393.1025 and 393.1030, RSMo, all electric utilities must generate or purchase RECs and S-RECs associated with electricity from renewable energy resources in sufficient quantity to meet *[both]* the RES **portfolio** requirements *[and RES solar energy requirements respectively]* **(renewable and solar)** on a calendar year basis. Utility renewable energy resources utilized for compliance with this rule must include the RECs or S-RECs associated with the generation. The RES *[requirements and the RES solar energy]* **portfolio** requirements are based on total retail electric sales of the electric utility. The requirements set forth in this rule shall not preclude an electric utility from *[being able to prudently invest and]* recovering all **of its** prudently incurred **investment and** costs *[in]* **incurred for** renewable energy resources that exceed the requirements or limits of this rule *[and]* **but** are consistent with the prudent implementation of any resource acquisition strategy **the electric utility** developed in compliance with 4 CSR 240-22, Electric Utility Resource Planning. RECs or S-RECs produced from these additional renewable energy resources *[shall be eligible to be]* **may** count*[ed]* toward the RES **portfolio** requirements.

[(A) Reserved]*

*[(B)]***(A)** The amount of renewable energy resources or RECs *[associated with renewable energy resources]* that can be counted towards meeting the RES **portfolio** requirements are as follows:

1. If the *[facility generating the]* renewable energy resource*[s]* is located in Missouri, the allowed amount is *[the amount of mega]* **kilo**watt-hours **(kWhs)** generated by the *[applicable generating facility, further subject to the additional]* **resource multiplied by one and** twenty-five hundredths (*[0]***1**.25) **to effectuate the** credit pursuant to **section 393.1030.1, RSMo. and** subsection (3)(G) of this rule; and

[2. Reserved]*

*[3.]***2.** RECs created by the operation of customer-generator facilities and acquired by the Missouri electric utility shall qualify for RES compliance if the customer-generator is a Missouri electric energy retail customer, regardless of the amount of energy the customer-generator provides to the associated retail electric provider through net metering in accordance with 4 CSR 240-20.065, Net Metering. RECs are created by the operation of the customer-generator facility, even if a significant amount or the total amount of electrical energy is consumed on-site at the location of the customer-generator.

[(C) The RES requirements are—

1. No less than two percent (2%) in each calendar year 2011 through 2013;

2. No less than five percent (5%) in each calendar year 2014 through 2017;

3. No less than ten percent (10%) in each calendar year 2018 through 2020; and

4. No less than fifteen percent (15%) in each calendar year beginning in 2021.

(D) At least two percent (2%) of each RES requirement listed in subsection (C) of this section shall be derived from solar energy. The RES solar energy requirements are—

1. No less than four-hundredths percent (0.04%) in each calendar year 2011 through 2013;

2. No less than one-tenth percent (0.1%) in each calendar year 2014 through 2017;

3. No less than two-tenths percent (0.2%) in each calendar year 2018 through 2020; and

4. No less than three-tenths percent (0.3%) in each calendar year beginning in 2021.]

*[(E)]***(B)** If compliance with **renewable mandates required by law such as** the *[above]* RES *[and RES solar energy]* **portfolio** requirements would cause **the** retail rates **of an electric utility** to increase on average in excess of one percent (1%) as calculated per section (5) of this rule, then *[above requirements]* **compliance with those mandates** shall be limited *[to providing renewable energy in amounts that]* **so that the cost of them** would **not** cause retail rates **of the electric utility** to increase on average one percent (1%) as calculated per section (5) of this rule.

*[(F)]***(C)** If an electric utility is not required to meet the RES **portfolio** requirements *[of subsection (C) of this section]* in a calendar year, because doing so would cause retail rates to increase on average in excess of one percent (1%) as calculated per section (5) of this rule, then the RES *[solar energy]* **portfolio** requirement *[specified in subsection (2)(D)]* **for solar energy** shall be two percent (2%) of the renewable energy **resources** that can be acquired subject

to the one percent (1%) average retail rates limit as calculated per section (5) of this rule.

*[(G)]***(D)** If an electric utility intends to accept proposals for renewable energy resources to be owned by the electric utility or an affiliate of the electric utility, it shall comply with the necessary requirements of 4 CSR 240-20.015, Affiliate Transactions.

(3) *[Renewable Energy Credits]* **RECs and S-RECs**. Subject to the requirements of section (2) of this rule, RECs and S-RECs shall be utilized to satisfy the RES requirements of this rule. S-RECs shall be utilized to comply with the RES *[solar energy]* **portfolio** requirements **for solar energy and***[. S-RECs]* may *[also]* be utilized to *[satisfy]* **comply with** the *[non-solar]* RES **portfolio** requirements **for other renewable energy resources**.

(A) The REC or S-REC creation is linked to the associated renewable energy resource. For purposes of retaining RECs or S-RECs, the utility, person, or entity responsible for creation of the REC or S-REC must maintain verifiable records *[including generator attestation]* that prove the creation date. The electric utility shall comply with the requirement of this subsection through the registration of the REC in the commission's approved REC tracking system.

(B) A*[n]* REC may only be used once to comply with this rule. RECs or S-RECs used to comply with this rule may not also be used to satisfy any *[similar]* **other** nonfederal renewable energy standard or requirement. Electric utilities may not use RECs or S-RECs retired under a green pricing program to comply with this rule. *[An]* RECs *[or]* **and** S-RECs may be used *[for compliance]* **to comply** with the RES *[or RES solar]* **portfolio** requirements of this rule for a calendar year in which it expired so long as it was valid *[during some portion of]* **at any time in** that year.

(C) **Customer-generators own the** RECs *[or]* **and** S-RECs associated with **their** customer-generated net-metered renewable energy resources *[shall be owned by the customer-generator.]*; **however, if a customer generator receives a solar rebate, the customer-generator transfers to the electric utility all right, title, and interest in and to the RECs associated with the new or expanded solar electric system that qualifies the customer-generator for the solar rebate for a period of ten (10) years from the date the electric utility confirms the customer-generator's solar electric system is operational.**

1. All **standard offer** contracts between electric utilities and the owners of net-metered *[generation sources]* **renewable resources that are** entered into after the effective date of these rules shall clearly specify *[the entity or person]* who *[shall]* owns the RECs or S-RECs associated with the energy generated by the net-metered generation resource, **and when the ownership will change, if it will**.

2. Electric metering associated with net-metered **renewable** resources shall meet the meter accuracy and testing requirements of 4 CSR 240-10.030, Standards of Quality. *[For solar electric systems utilizing the provisions of subsection (4)(H) of this rule, no meter accuracy or testing requirements are required.]*

(E) If *[an electrical generator co-fires]* an eligible renewable energy fuel source **is co-fired** with an ineligible fuel source, only the proportion of the electrical energy output associated with the eligible renewable energy fuel source shall be permitted to count toward compliance with the RES **portfolio requirements**. For co-fired generation of electricity, the renewable energy resources shall be determined by multiplying the electricity output by the direct proportion of the as-fired British thermal unit (BTU) content of the fuel burned that is a source of renewable energy resources as defined in this rule to the as-fired BTU content of the total fuel burned.

(F) All electric utilities shall use a commission designated common central third-party registry for REC accounting for RES **portfolio** requirements, unless otherwise ordered for good cause shown.

(G) RECs *[that are]* created by the generation of electricity by a renewable energy resource physically located in the state of Missouri shall count as one and twenty-five hundredths (1.25) RECs for purposes of compliance with this rule. This additional credit shall not be tracked in the tracking systems specified in subsection (F) of this section. This additional credit of twenty-five hundredths (0.25) shall be recognized when the electric utility files its annual compliance report in accordance with section (7) of this rule.

(H) RECs *[that are purchased by an electric utility from]* **created by the generation of electricity at** a facility that subsequently fails to meet the requirements for renewable energy resources *[shall continue to be]* **are** valid *[through]* **if they were created before** the date *[of]* **at which the** facility *[decertification.]* **is decertified.**

(J) For compliance purposes, **electric** utilities shall retire RECs in sufficient quantities to meet the **RES portfolio** requirements of this rule. The RECs shall be retired during the calendar year for which compliance is *[being achieved]* **sought**. **Electric** *[U]*utilities may retire RECs *[during the months of]* **from** January*[, February, or March]* **1 through April 15 of the following year**, following the calendar year for which compliance is being *[achieved]* **sought** and designate those retired RECs as counting towards the requirements of that previous calendar year. Any RECs retired in this manner shall be specifically annotated in the registry designated in accordance with subsection (F) of this section and the annual compliance report filed in accordance with section (7) of this rule. RECs retired *[in]* **from** January*[, February, or March]* **1 through April 15 of the following year**, to be counted towards compliance for the previous calendar year in accordance with this subsection shall not exceed ten percent (10%) of the total RECs necessary to be retired for compliance for that calendar year.

(K) RECs may be aggregated with other RECs *[and utilized]* for compliance purposes. RECs shall be issued in whole increments. Any fractional RECs, aggregated or non-aggregated, remaining after certificate issuance will be carried forward to the next reporting period for the specific facility(ies). REC aggregation may be performed by electric utilities, customer-generators, or others *[parties]*.

(L) Fractional RECs may be aggregated with other fractional RECs and utilized for compliance *[purposes]* **with this rule**.

(4) Solar Rebate. Pursuant to section 393.1030, RSMo, and this rule, electric utilities shall include in their tariffs a provision regarding retail account holder rebates for solar electric systems. These rebates shall be available to Missouri electric utility retail account holders who install new or expanded solar electric systems *[that become operational after December 31, 2009. The minimum amount of the rebate shall be two dollars ($2.00) per installed watt up to a maximum of twenty-five (25) kW per retail account. To qualify for the solar rebate and the Standard Offer Contract of subsection (H) of this section, the customer-owned or leased solar generating equipment shall be interconnected with the electric utility's system.]* **comprised of photovoltaic cells or photovoltaic panels.**

(C) The installed solar electric system must remain in place on the account holder's **(customer-generator's)** premises for *[the duration of its useful life which shall be deemed to be]* ten (10) years unless determined otherwise by the commission.

(E) The solar electric system shall meet all requirements of 4 CSR 240-20.065, Net Metering*[, or a tariff approved by the commission for customer-owned generation]*.

(F) The electric utility may *[inspect retail account holder]* **physically audit customer-generator** owned solar electric systems for which it has paid a solar rebate pursuant to this section, at any reasonable time, with prior notice of at least three (3) business days provided to the retail account holder. *[Advance notice is not required if there is reason to believe the unit poses a safety risk to the retail account holder, the premises, the utility's electrical system, or the utility's personnel.]*

(H) Standard Offer Contracts.

1. The electric utility may at *[the utility's]* **its** discretion, offer a standard contract for the purchase of S-RECs created by the customer-**generator**'s installed solar electric system.

2\. If the electric utility chooses to offer a standard offer contract, the electric utility shall file tariff sheets detailing the provision of the contract no later than November 1 each year for the following compliance year. Workpapers documenting the purchase prices shall be submitted with the tariff filing.

*[3.]***(I)** No customer-**generator** is required by this rule to sell any or all S-RECs to the electric utility; **however, a condition of receiving a solar rebate from an electric utility is that all right, title, and interest in and to the RECs associated with the new or expanded solar electric system that qualifies the customer-generator for the solar rebate is transferred to the electric utility paying the rebate for a period of ten (10) years from the date the electric utility confirms the customer-generator's solar electric system is operational.**

*[(I)]***(J)** Electric utilities that have purchased S-RECs under a *[one (1)-]* **one- (1-)** time lump sum payment in accordance with subsection (H) of this section **or as a result of the solar rebate S-RECs transferred through the solar rebate** may continue to account for purchased S-RECs even if the owner of the solar electric system ceases to operate the system or the system is decertified as a renewable energy resource. S-RECs originated under this subsection shall only be utilized by the original purchasing utility for compliance with this rule. S-RECs originated under this subsection shall not be sold or traded.

*[(J)]***(K)** Electric utilities that have purchased S-RECs under a *[one (1)-]* **one- (1-)** time lump sum payment **or otherwise have acquired right, title, and interest in and to S-RECs associated with solar rebates** annually shall *[utilize the associated S-RECs in equal annual amounts over the lifetime of the purchase agreement.]* **estimate, using PVWatts, or actually measure the S-RECs generated from the customer-generator's operational solar electric system.**

*[(K)]***(L)** The electric utility shall provide *[a rebate offer for solar rebates within thirty (30) days of application and shall provide]* the solar rebate payment to qualified *[retail account holders]* **customer-generators** within thirty (30) days of *[verification that the]* **confirming the customer-generator's** solar electric system is *[fully]* operational. *[Applicants who have received a solar rebate offer shall have up to twelve (12) months from the date of receipt of a rebate offer to demonstrate full operation of their proposed solar electric system. Full operation means the purchase and installation on the retail account holder's premises of all major system components of the on-site solar electric system and production of rated electrical generation. If full operation is not achieved within six (6) months of acceptance of the Standard Offer Contract or rebate offer, in order to keep eligibility for the rebate offer and/or the Standard Offer Contract, the applicant shall file a report with the electric utility demonstrating substantial project progress and indicating continued interest in the rebate. The six (6)-month report shall include proof of purchase of the majority of the solar electric system components, partial system construction, and building permit if required by the jurisdictional authority. Customers who do not demonstrate substantial progress within six (6) months of receipt of the rebate offer, or achieve full operation within one (1) year of receipt of rebate offer, will be required to reapply for any solar rebate.]* **Consistent with 4 CSR 240-20.065(9), customer-generators have up to twelve (12) months from when they apply for a solar rebate for the utility to confirm the customer-generator's solar electric system is operational.**

1. The solar rebates per installed watt up to a maximum of twenty-five kilowatts (25 kW) per retail account are—

A. $2.00 per watt for systems operational on or before June 30, 2014;

B. $1.50 per watt for systems operational between July 1, 2014 and June 30, 2015 (inclusive);

C. $1.00 per watt for systems operational between July 1, 2015 and June 30, 2016 (inclusive);

D. $0.50 per watt for systems operational between July 1, 2016 and June 30, 2019 (inclusive);

E. $0.25 per watt for systems operational between July 1, 2019 and June 30, 2020 (inclusive); and

F. $0.00 per watt for systems operational after June 30, 2020.

G. An electric utility may offer solar rebates after July 1, 2020 through a commission-approved tariff.

(M) An electric utility may, through its tariff, require applications for solar rebates to be submitted up to one hundred eighty-two (182) days prior to the June 30 operational dates. The electric utility will pay the pre-June 30 rebate amount as defined in this subsection to customer-generators who comply with the submission and system operational requirements on or before June 30 of the following year. Customer-generators that fail to meet the submission or system operational requirements on or before the June 30 date will receive the post-June 30 rebate amount if the electric utility confirms their solar electric systems are operational within one (1) year of their application.

*[(L)]***(N) Unless the commission orders otherwise,** *[I]***i**f the solar rebate program for an electric utility causes the utility to meet or exceed the retail rate impact limits of section (5) of this rule, the solar rebates shall be paid on a first-come, first-served basis, as determined by the solar system operational date. Any solar rebate applications that are not honored in a particular calendar year due to the requirements of this subsection shall be the first-**come, first-served** applications considered in the following calendar year.

(O) An electric utility shall maintain on its website, current information related to—

1. The electric utility's solar rebate application and review processes, including standards for determining application eligibility;

2. The solar rebate amount associated with pending applications that have been submitted, but not yet reviewed;

3. The current level of solar rebate payments; and

4. The rebate amount associated with applications that are approved, but where the solar electric system is not yet operational.

(5) Retail Rate Impact.

(A) The retail rate impact **(RRI)**, as calculated in subsection (5)(B), may not exceed one percent (1%) for prudent costs of renewable energy resources directly attributable to RES compliance. The retail rate impact shall be calculated **annually** on an incremental basis for each planning year *[that includes the addition of renewable generation directly attributable to RES compliance through procurement]* **through procurement** or development of renewable energy resources*[,]* averaged over the succeeding *[ten (10)-]* **ten- (10-)** year period.*[, and shall exclude renewable energy resources owned or under contract prior to the effective date of this rule.]* **The retail rate impact shall exclude renewable energy resources owned or under contract prior to the effective date of the rule.**

(B) The RES retail rate impact shall be determined by subtracting the total retail revenue requirement incorporating an incremental non-renewable generation and purchased power portfolio from the total retail revenue requirement including an incremental RES-compliant generation and purchased power portfolio. The non-renewable generation and purchased power portfolio shall be determined by adding, to the utility's existing generation and purchased power resource portfolio **excluding all renewable resources,** additional non-renewable resources sufficient to meet the utility's needs on a least-cost basis for the next ten (10) years. The RES-compliant portfolio shall be determined by adding to the utility's existing generation and purchased power resource portfolio an amount of **least cost** renewable resources sufficient to achieve the *[standard]* **portfolio requirements** set forth in section (2) of this rule and an amount of least-cost non-renewable resources, the combination of which is sufficient to meet the utility's needs for the next ten (10) years. The*[se]* **cost of the RES-compliant portfolio shall also include the positive or negative cumulative carry-forward amount as determined in subsection (5)(G). Assumptions regarding projected** renewable energy resource additions will utilize the most recent electric utility resource planning analysis. These comparisons will be conducted utilizing *[projections of the]* incremental revenue requirement for new renewable energy resources, less the avoided cost of fuel not purchased for non-renewable energy resources due to the addition of renewable energy resources. In addition, the projected impact on revenue requirements by non-renewable energy resources shall *[be increased by]* **include** the expected value of greenhouse gas emissions compliance costs, assuming that such costs are made at the expected value of the cost per ton of greenhouse gas emissions allowances, cost per ton of a greenhouse gas emissions tax (e.g., a carbon tax), or the cost per ton of greenhouse gas emissions reductions for any greenhouse gas emission reduction technology that is applicable to the utility's generation portfolio, whichever is lower. Calculations of the expected value of costs associated with greenhouse gas emissions shall be derived by applying the probability of the occurrence of future greenhouse gas regulations to expected level(s) of costs per ton associated with those regulations over the next ten (10) years. Any variables utilized in the modeling shall be consistent with values established in prior rate proceedings, electric utility resource planning filings, or RES compliance plans, unless specific justification is provided for deviations. *[The comparison of the rate impact of renewable and non-renewable energy resources shall be conducted only when the electric utility proposes to add incremental renewable energy resource generation directly attributable to RES compliance through the procurement or development of renewable energy resources.]*

(C) **Solar** *[R]*rebates **payments** made during any calendar year in accordance with section (4) of this rule shall be included in the cost of generation from renewable energy resources.

(D) For purposes of the determination in accordance with subsection (B) of this section, if the revenue requirement including the RES-compliant resource mix, averaged over the *[succeeding ten (10)-]* **ten- (10-)** year period, exceeds the revenue requirement that includes the non-renewable resource mix by more than one percent (1%), the utility shall adjust downward the proportion of renewable resources so that the average annual revenue requirement differential does not exceed one percent (1%). In making this adjustment, the solar requirement shall be in accordance with subsection (2)*[(F)]***(C)** of this rule. Prudently incurred costs to comply with the RES *[standard]* **portfolio requirements**, and passing this rate impact test, may be recovered in accordance with section (6) of this rule or through a rate proceeding outside or in a general rate case. **When adjusting downward the proportion of renewable energy resources, the utility shall give first priority to reducing or eliminating the amount of RECs not associated with electricity delivered to Missouri customers.**

(F) If the electric utility determines the maximum average retail rate increase provided for in section (5) will be reached in any calendar year, the electric utility may cease paying rebates to the extent necessary to avoid exceeding the maximum average retail rate increase by filing a request with the commission, at least sixty (60) days in advance, to suspend the solar rebate provisions in its tariff for the remainder of the calendar year.

1. The filing with the commission to suspend the electric corporation's solar rebate tariff provision shall include:

A. Its calculation reflecting that the maximum average retail rate increase will be reached with supporting documentation;

B. A proposed procedural schedule; and

C. A description of the process that it will use to cease or conclude the solar rebate payments to solar customers if the commission suspends its solar rebate tariff provision.

2. The commission shall rule on the suspension filing within sixty (60) days of the date it is filed. If the commission determines the maximum average retail rate increase will be reached, the commission shall suspend solar rebate payments.

3. The electric utility shall continue to process and pay applicable solar rebates until a final commission ruling.

A. If continuing to pay solar rebates causes the electric utility to exceed the maximum average retail rate increase, the excess payments shall not be considered to have been imprudently incurred for that reason.

(G) The utility shall calculate for each actual compliance year an annual carry-forward amount, illustration included herein as Attachment A. This amount shall be calculated as the positive or negative difference between the actual costs of RES compliance and an amount equal to one percent (1%) of the revenue requirement for that year for the non-renewable generation and purchased power portfolio from its most recent annual RES compliance plan filed pursuant to subsection (7)(B) of this rule. The positive or negative annual carry-forward amount shall be accumulated and carried forward from year-to-year and included in the cost of the RES-compliant portfolio for purposes of calculating the retail rate impact, as calculated in subsection (5)(B). Nothing in this subsection shall authorize recovery in excess of the one percent (1%) cap, as defined in subsection (5)(B).

(H) If in reliance on a calculation of the RRI as provided for herein, an electric utility commits to fund a utility-owned renewable energy resource, or contracts to acquire energy or capacity from a renewable energy resource, that based on the relied-upon RRI calculation would not cause the electric utility to exceed such RRI, then the prudently incurred costs of such renewable energy resource and such energy and capacity shall constitute RES compliance costs even if including such costs in later calculations will cause the electric utility to exceed the RRI calculated at a later time. To the extent the prudently incurred costs of a utility-owned renewable energy resource, or contracted for energy or capacity from a renewable energy resource, cause an electric utility to exceed the RRI calculated at a later time, such excess sum shall be included in the determination of the carry-forward amount in accordance with subsection (5)(G).

(I) Until June 30, 2020, if the maximum average retail rate increase would be less than or equal to one percent (1%) if an electric utility's investment in solar-related projects initiated, owned, or operated by the electric utility is ignored for purposes of calculating the increase, then additional solar rebates shall be paid and included in rates in an amount up to the amount that would produce a retail rate increase equal to the difference between a one percent (1%) retail rate increase and the retail rate increase calculated when ignoring an electric utility's investment in solar projects initiated, owned, or operated by the electric utility.

(6) Cost Recovery and Pass-through of Benefits. An electric utility outside or in a general rate proceeding may file an application and rate schedules with the commission to establish, continue, modify, or discontinue a Renewable Energy Standard Rate Adjustment Mechanism (RESRAM) that shall allow for the adjustment of its rates and charges to provide for recovery of prudently incurred costs or pass-through of benefits received as a result of compliance with the RES *[requirements]*; provided that the *[RES compliance retail rate]* **average annual** impact on *[average]* retail customer rates does not exceed one percent (1%) *[as determined by section (5) of this rule.]* **over a ten- (10-) year period as set out in subsections (5)(A), (B) and (G).** In all RESRAM applications, the increase in electric utility revenue requirements shall be calculated as the amount of additional RES compliance costs incurred since the electric utility's last RESRAM application or general rate proceeding, net of any reduction in RES compliance costs included in the electric utility's prior RESRAM application or general rate case, and any new RES compliance benefits.

(A) **For all RESRAM filings, except the initial filings by the electric utility,** *[I]*if the actual increase in utility revenue requirement*[s]* is less than two percent (2%), subsection (B) of this section shall be utilized. If the actual increase in utility revenue requirement*[s]* is equal to or greater than two percent (2%), subsection (C) of this section shall be utilized. For the initial filing by the electric utility in accordance with this section, subsection *[(C)]***(B)** of this section shall be utilized **as well**, except that the staff, and individuals or entities granted intervention by the commission, may file a report or comments no later than one hundred twenty (120) days after the electric utility files its application and rate schedules to establish a*[n]* RESRAM.

1. The pass-through of benefits has no single-year cap or limit.

2. Any party in a rate proceeding in which a*[n]* RESRAM is in effect or proposed may seek to continue as is, modify, or oppose the RESRAM. The commission shall approve, modify, or reject such applications and rate schedules to establish a*[n]* RESRAM only after providing the opportunity for an evidentiary hearing.

3. If the electric utility incurs costs in complying with the RES *[requirements]* that exceed the one percent (1%) **rate** limit determined in accordance with section (5) of this rule for any year, those excess costs may be carried forward to future years for cost recovery **permitted** under this rule. Any costs carried forward shall have a carrying cost applied to them monthly equal to the **interest on those carried forward costs calculated at the** electric utility's *[cost of]* short-term borrowing rate. These carried forward costs plus accrued carrying costs plus additional annual costs remain subject to the one percent (1%) **rate** limit for any subsequent years. In any calendar year that costs from a previous compliance year are carried forward, the carried forward costs will be considered for cost recovery prior to any new costs for the current calendar year.

4. For ownership investments in eligible renewable energy technologies in a*[n]* RESRAM application, the electric utility shall be entitled to a rate of return equal to the electric utility's most recent authorized rate of return on rate base. Recovery of the rate of return for investment in renewable energy technologies in a*[n]* RESRAM application is subject to the one percent (1%) **annual** limit specified in section (5) of this rule.

5. Upon the filing of proposed rate schedules with the commission seeking to recover costs or pass-through benefits of RES compliance, the commission will provide general notice of the filing.

6. The electric utility shall provide the following notices to its customers, with such notices to be approved by the commission in accordance with paragraph 7. of this subsection before the notices are sent to customers:

A. An initial, *[one (1)-]* **one- (1-)** time notice to all potentially affected customers, such notice being sent to customers no later than when customers will receive their first bill that includes a*[n]* RESRAM, explaining the utility's RES compliance and identifying the statutory authority under which it is implementing a*[n]* RESRAM;

B. An annual notice to affected customers each year that a*[n]* RESRAM is in effect explaining the continuation of its RESRAM and RES compliance; and

C. A*[n]* RESRAM line item on all customer bills, which informs the customers of the presence and amount of the RESRAM **charge**.

7. Along with the electric utility's filing of proposed rate schedules to establish a*[n]* RESRAM, the utility shall file the following items with the commission for approval or rejection, and the *[Office of the Public Counsel (]*OPC*[)]* may, within ten (10) days of the utility's filing of this information, submit comments regarding these notices to the commission:

A. An example of the notice required by subparagraph (A)6.A. of this section;

B. An example of the notice required by subparagraph (A)6.B. of this section; and

C. An example customer bill showing how the RESRAM will be described on affected customers' bills in accordance with subparagraph (A)6.C. of this section.

8. An electric utility may effectuate a change in **its** RESRAM no more often than one (1) time during any calendar year, not including changes as a result of paragraph 11. of this subsection.

9. Submission of Surveillance Monitoring Reports. Each electric utility with an approved RESRAM shall submit to staff, OPC, and parties approved by the commission, a Surveillance Monitoring Report. The form of the Surveillance Monitoring Report is included herein.

A. The Surveillance Monitoring Report shall be submitted within fifteen (15) days of the electric utility's next scheduled United States Securities and Exchange Commission (SEC) 10-Q or 10-K filing with the initial submission within fifteen (15) days of the electric utility's next scheduled SEC 10-Q or 10-K filing following the effective date of the commission order establishing the RESRAM.

B. If the electric utility also has an approved fuel rate adjustment mechanism or environmental cost recovery mechanism (ECRM), the electric utility shall submit a single Surveillance Monitoring Report for the RESRAM, ECRM, the fuel rate adjustment mechanism, or any combination of the three (3). The electric utility shall designate on the single Surveillance Monitoring Report whether the submission is for RESRAM, ECRM, fuel rate adjustment mechanism, or any combination of the three (3).

C. Upon a finding that a utility has knowingly or recklessly provided materially false or inaccurate information to the commission regarding the surveillance data prescribed in this paragraph, after notice and an opportunity for a hearing, the commission may suspend *[an]* **its** RESRAM or order other appropriate remedies as provided by law.

10. The RESRAM **charge** will be calculated as a percentage of the customer's energy charge for the applicable billing period.

11. Commission approval of proposed rate schedules, to establish or modify a*[n]* RESRAM, shall in no way be binding upon the commission in determining the ratemaking treatment to be applied to RES compliance costs during a subsequent general rate proceeding when the commission may undertake to review the prudence of such costs. *[In the event]* **If** the commission disallows, during a subsequent general rate proceeding, recovery of RES compliance costs previously in a*[n]* RESRAM, or pass-through of benefits previously in a*[n]* RESRAM, the electric utility shall offset its RESRAM in the future as necessary to recognize and account for any such costs or benefits. The offset amount shall include a calculation of interest at the electric utility's short-term borrowing rate as calculated in subparagraph (A)26.A. of this section. The RESRAM offset will be designed to reconcile such disallowed costs or benefits within the *[six (6)-]* **six- (6-)** month period immediately subsequent to any commission order regarding such disallowance.

12. At the end of each *[twelve (12)-]* **twelve- (12-)** month period that a*[n]* RESRAM is in effect, the electric utility shall reconcile the differences between the revenues resulting from the RESRAM and the pretax revenues as found by the commission for that period and shall submit the reconciliation to the commission with its next sequential proposed rate schedules for RESRAM continuation or modification.

13. An electric utility that has implemented a*[n]* RESRAM shall file revised RESRAM rate schedules to reset the RESRAM **charge** to zero (0) when new base rates and charges become effective following a commission report and order establishing customer rates in a general rate proceeding that incorporates RES compliance costs or benefits previously reflected in a*[n]* RESRAM in the utility's base rates. If an over- or under-recovery of RESRAM revenues or over- or under-pass-through of RESRAM benefits exists after the RESRAM **charge** has been reset to zero (0), that amount of over- or under-recovery, or over- or under-pass-through, shall be tracked in an account and considered in the next RESRAM filing of the electric utility.

14. Upon the inclusion of RES compliance cost or benefit pass-through previously reflected in a*[n]* RESRAM into an electric utility's base rates, the **electric** utility shall immediately thereafter reconcile any previously unreconciled RESRAM revenues or RESRAM benefits and track them as necessary to ensure that revenues or pass-through benefits resulting from the RESRAM match, as closely as possible, the appropriate pretax revenues or pass-through benefits as found by the commission for that period.

15. In addition to the information required by subsection (B) or (C) of this section, the electric utility shall also provide the following information when it files proposed rate schedules with the commission seeking to establish, modify, or reconcile a*[n]* RESRAM:

A. A description of all information posted on the utility's website regarding the RESRAM; and

B. A description of all instructions provided to personnel at the utility's call center regarding how those personnel should respond to calls pertaining to the RESRAM.

16. RES compliance costs shall only be recovered through a*[n]* RESRAM or as part of a general rate proceeding and shall not be considered for cost recovery through an environmental cost recovery mechanism, *[or]* fuel adjustment clause or interim energy charge.

17. Pre-existing adjustment mechanisms, tariffs, and regulatory plans. The provisions of this rule shall not affect—

A. Any adjustment mechanism, rate schedule, tariff, incentive plan, or other ratemaking mechanism that was approved by the commission and in effect prior to *[the effective date of this rule]* **September 30, 2010**; and

B. Any experimental regulatory plan that was approved by the commission and in effect prior to *[the effective date of this rule.]* **September 20, 2010; and**

C. The commission's reports and orders in case numbers ET-2014-0059, ET-2014-0071, and ET-2014-0085.

18. Each electric utility with a*[n]* RESRAM shall submit, with an affidavit attesting to the veracity of the information, the following information on a monthly basis to the manager of the auditing *[department]* **unit** of the commission and *[the]* **to** OPC. The information *[may]* **shall** be submitted to the manager of the auditing department through the electronic filing and information system (EFIS). The following information shall be aggregated by month and supplied no later than sixty (60) days after the end of each month when the RESRAM is in effect. The first submission shall be made within sixty (60) days after the end of the first complete month after the RESRAM goes into effect. It shall contain, at a minimum—

A. The revenues billed pursuant to the RESRAM by rate class and voltage level, as applicable;

B. The revenues billed through the electric utility's base rate allowance by rate class and voltage level;

C. All significant factors that have affected the level of RESRAM revenues along with workpapers documenting these significant factors;

D. The difference, by rate class and voltage level, as applicable, between the total billed RESRAM revenues and the projected RESRAM revenues;

E. Any additional information *[ordered by]* the commission *[to]* **orders** be provided; and

F. To the extent any of the requested information outlined above is provided in response to another section, the information only needs to be provided once.

19. Information required to be filed with the commission or submitted to the manager of the auditing *[department]* **unit** of the commission and to OPC in this section shall also be, in the same format, served on or submitted to any party to the related rate proceeding in which the RESRAM was approved by the commission, periodic adjustment proceeding, prudence review, or general rate case to modify, continue, or discontinue the same RESRAM, pursuant to the procedures in 4 CSR 240-2.135 for handling confidential information, including any commission order issued thereunder.

20. A person or entity granted intervention in a rate proceeding in which a*[n]* RESRAM is approved by the commission shall be a party to any subsequent related periodic adjustment proceeding or prudence review, without the necessity of applying to the commission for intervention**; and the commission shall issue an order identifying them**. In any subsequent general rate proceeding, such person or entity must seek and be granted status as an intervenor to be a party to that case. Affidavits, testimony, information, reports, and workpapers to be filed or submitted in connection with a subsequent related periodic adjustment proceeding, prudence review, or general rate case to modify, continue, or discontinue the same RESRAM shall be served on or submitted to all parties from the prior related rate proceeding and on all parties from any subsequent related periodic adjustment proceeding, prudence review, or general rate case to modify, continue, or discontinue the same RESRAM, concurrently with filing the same with the commission or submitting the same to the manager of the auditing *[department]* **unit** of the commission and OPC, pursuant to the procedures in 4 CSR 240-2.135 for handling confidential information, including any commission order issued thereunder.

21. A person or entity not a party to the rate proceeding in which **the commission approves** a*[n]* RESRAM *[is approved by the commission]* may timely apply to the commission for intervention, pursuant to sections 4 CSR 240-2.075(2) through (4) of the commission's rule on intervention, respecting any related subsequent periodic adjustment proceeding, or prudence review, or, pursuant to sections 4 CSR 240-2.075(1) through (5), respecting any subsequent general rate case to modify, continue, or discontinue the same RESRAM. If no party to a subsequent periodic adjustment proceeding or prudence review objects within ten (10) days of the filing of an application for intervention, the applicant shall be deemed as having been granted intervention without a specific commission order granting intervention, unless, within the above-referenced *[ten (10)-]* **ten- (10-)** day period, the commission denies the application for intervention on its own motion. If an objection to the application for intervention is filed on or before the end of the above-referenced *[ten (10)-]* **ten- (10-)** day period, the commission shall rule on the application and the objection within ten (10) days of the filing of the objection.

22. The results of discovery from a rate proceeding where the commission may approve, modify, reject, continue, or discontinue a*[n]* RESRAM, or from any subsequent periodic adjustment proceeding or prudence review relating to the same RESRAM, may be used without a party resubmitting the same discovery requests (data requests, interrogatories, requests for production, requests for admission, or depositions) in the subsequent proceeding to parties that produced the discovery in the prior proceeding, subject to a ruling by the commission concerning any evidentiary objection made in the subsequent proceeding.

23. If a party which submitted data requests relating to a proposed RESRAM in the rate proceeding where the RESRAM was established or in any subsequent related periodic adjustment proceeding or prudence review wants the responding party to whom the prior data requests were submitted to supplement or update that responding party's prior responses for possible use in a subsequent related periodic adjustment proceeding, prudence review, or general rate case to modify, continue, or discontinue the same RESRAM, the party which previously submitted the data requests shall submit an additional data request to the responding party to whom the data requests were previously submitted which clearly identifies the particular data requests to be supplemented or updated and the particular period to be covered by the updated response. A responding party to a request to supplement or update shall supplement or update a data request response from a related rate proceeding where a*[n]* RESRAM was established, reviewed for prudence, modified, continued, or discontinued, if the responding party has learned or subsequently learns that the data request response is in some material respect incomplete or incorrect.

24. Each rate proceeding where commission establishment,

continuation, modification, or discontinuation of a*[n]* RESRAM is the sole issue shall comprise a separate case. The same procedures for handling confidential information shall apply, pursuant to 4 CSR 240-2.135, as in the immediately preceding RESRAM case for the particular electric utility, unless otherwise directed by the commission on its own motion or as requested by a party and directed by the commission.

25. In addressing certain discovery matters and the provision of certain information by electric utilities, this rule is not intended to restrict the discovery rights of any party.

26. Prudence reviews respecting a*[n]* RESRAM. A prudence review of the costs subject to the RESRAM shall be conducted no less frequently than at intervals established in the rate proceeding in which the RESRAM is established.

A. All amounts ordered refunded by the commission shall include interest at the electric utility's short-term borrowing rate. The interest shall be calculated on a monthly basis for each month the RESRAM rate is in effect, equal to the weighted average interest rate paid by the electric utility on short-term debt for that calendar month. This rate shall then be applied to a simple average of the same month's beginning and ending cumulative RESRAM over-collection or under-collection balance. Each month's accumulated interest shall be included in the RESRAM over-collection or under-collection balances on an ongoing basis.

B. The staff shall submit a recommendation regarding its examination and analysis to the commission not later than one hundred eighty (180) days after the staff initiates its prudence audit. The staff shall file notice within ten (10) days of starting its prudence audit. The commission shall issue an order not later than two hundred ten (210) days after the staff commences its prudence audit if no party to the proceeding in which the prudence audit is occurring files, within one hundred ninety (190) days of the staff's commencement of its prudence audit, a request for a hearing.

(I) If the staff, OPC, or other party auditing the RESRAM believes that insufficient information has been supplied to make a recommendation regarding the prudence of the electric utility's RESRAM, it may utilize discovery to obtain the information it seeks. If the electric utility does not timely supply the information, the party asserting the failure to provide the required information shall timely file a motion to compel with the commission. While the commission is considering the motion to compel the processing time line shall be suspended. If the commission then issues an order requiring the information to be provided, the time necessary for the information to be provided shall further extend the processing time line. For good cause shown the commission may further suspend this time line.

(II) If the time line is extended due to an electric utility's failure to timely provide sufficient responses to discovery and a refund is due to the customers, the electric utility shall refund all imprudently incurred costs plus interest at the electric utility's short-term borrowing rate. The interest shall be calculated on a monthly basis in the same manner as described in subparagraph (A)26.A. of this section.

(B) RESRAM **filing requirements** for less than two percent (2%) actual increase in utility revenue requirements.

1. When an electric utility files proposed rate schedules pursuant to sections 393.1020 and 393.1030, RSMo, and the provisions of this rule, the commission staff shall conduct an examination of the proposed RESRAM.

2. The staff of the commission shall examine and analyze the information submitted by the electric utility to determine if the proposed RESRAM is in accordance with provisions of this rule and the statutes governing the RES and shall submit a report regarding its examination to the commission not later than sixty (60) days after the electric utility files its proposed rate schedules.

3. The commission may hold a hearing on the proposed rate schedules and shall issue an order to become effective not later than one hundred twenty (120) days after the electric utility files the proposed rate schedules.

4. If the commission finds that the proposed rate schedules or substitute filed rate schedules comply with the applicable requirements, the commission shall enter an order authorizing the electric utility to utilize said RESRAM rate schedules with an appropriate effective date, as determined by the commission.

5. At the time an electric utility files proposed rate schedules with the commission seeking to establish, modify, or reconcile a*[n]* RESRAM, it shall submit its supporting documentation regarding the calculation of the proposed RESRAM and shall serve the *[Office of the Public Counsel]* **OPC** with a copy of its proposed rate schedules and its supporting documentation. The utility's supporting documentation shall include workpapers showing the calculation of the proposed RESRAM and shall include, at a minimum, the following information:

A. A complete explanation of all of the costs, both capital and expense, incurred for RES compliance that the electric utility is proposing be included in rates and the specific account used for each item;

B. The state, federal, and local income or excise tax rates used in calculating the proposed RESRAM, and an explanation of the source of and the basis for using those tax rates;

C. The regulatory capital structure used in calculating the proposed RESRAM, and an explanation of the source of and the basis for using the capital structure;

D. The cost rates for debt and preferred stock used in calculating the proposed RESRAM, and an explanation of the source of and the basis for using those rates;

E. The cost of common equity used in calculating the proposed RESRAM, and an explanation of the source of and the basis for that equity cost;

F. The depreciation rates used in calculating the proposed RESRAM, and an explanation of the source of and the basis for using those depreciation rates;

G. The rate base used in calculating the proposed RESRAM, including an updated depreciation reserve total incorporating the impact of all RES plant investments previously reflected in general rate proceedings or RESRAM application proceedings initiated following enactment of the RES rules;

H. The applicable customer class billing methodology used in calculating the proposed RESRAM, and an explanation of the source of and basis for using that methodology;

I. An explanation of how the proposed RESRAM is allocated among affected customer classes, if applicable; and

J. For purchase of electrical energy from eligible renewable energy resources bundled with the associated RECs or for the purchase of unbundled RECs, the cost of the purchases, and an explanation of the source of the energy or RECs and the basis for making that specific purchase, including an explanation of the request for proposal (RFP) process, or the reason(s) for not using a*[n]* RFP process, used to establish which entity provided the energy or RECs associated with the RESRAM.

(C) RESRAM for equal to or greater than two percent (2%) actual increase in utility revenue requirements.

1. If an electric utility files an application and rate schedules to establish, continue, modify, or discontinue a*[n]* RESRAM outside of a general rate proceeding, the staff shall examine and analyze the information filed in accordance with this section and additional information obtained through discovery, if any, to determine if the proposed RESRAM is in accordance with provisions of this rule and the statutes governing the RES. The commission shall establish a procedural schedule providing for an evidentiary hearing and commission report and order regarding the electric utility's filing. The staff shall submit a report regarding its examination and analysis to the commission not later than seventy-five (75) days after the electric utility files its application and rate schedules to establish a*[n]* RESRAM. An individual or entity granted intervention by the commission may file comments not later than seventy-five (75) days after the electric

utility files its application and rate schedules to establish a*[n]* RESRAM. The electric utility shall have no less than fifteen (15) days from the filing of the staff's report and any intervener's comments to file a reply. The commission shall have no less than thirty (30) days from the filing of the electric utility's reply to hold a hearing and issue a report and order approving the electric utility's rate schedules subject to or not subject to conditions, rejecting the electric utility's rate schedules, or rejecting the electric utility's rate schedules and authorizing the electric utility to file substitute rate schedules subject to or not subject to conditions.

2. When an electric utility files an application and rate schedules as described in this subsection, the electric utility shall file at the same time supporting direct testimony and the following supporting information as part of, or in addition to, its supporting direct testimony:

A. Proposed RESRAM rate schedules;

B. A general description of the design and intended operation of the proposed RESRAM;

C. A complete description of how the proposed RESRAM is compatible with the requirement for prudence reviews;

D. A complete explanation of all the costs that shall be considered for recovery under the proposed RESRAM and the specific account used for each cost item on the electric utility's books and records;

E. A complete explanation of all of the costs, both capital and expense, incurred for RES compliance that the electric utility is proposing be included in rates and the specific account used for each cost item on the electric utility's books and records*[.]*;

F. A complete explanation of all of the costs, both capital and expense, incurred for RES compliance that the electric utility is proposing be included in base rates and the specific account used for each cost item on the electric utility's books and records;

G. A complete explanation of all the revenues that shall be considered in the determination of the amount eligible for recovery under the proposed RESRAM and the specific account where each such revenue item is recorded on the electric utility's books and records;

H. A complete explanation of any feature designed into the proposed RESRAM or any existing electric utility policy, procedure, or practice that can be relied upon to ensure that only prudent costs shall be eligible for recovery under the proposed RESRAM;

I. For each of the major categories of costs, that the electric utility seeks to recover through its proposed RESRAM, a complete explanation of the specific rate class cost allocations and rate design used to calculate the proposed RES compliance revenue requirement and any subsequent RESRAM rate adjustments during the term of the proposed RESRAM; and

J. Any additional information that may have been ordered by the commission in a prior rate proceeding to be provided.

3. When an electric utility files rate schedules as described in this subsection, and serves upon parties as provided in paragraph (A)20. of this section, the rate schedules must be accompanied by supporting direct testimony, and at least the following supporting information:

A. The following information shall be included with the filing:

(I) For the period from which historical costs are used to adjust the RESRAM rate:

(a) REC costs differentiated by purchases, swaps, and loans;

(b) Net revenues from REC sales, swaps, and loans;

(c) Extraordinary costs not to be passed through, if any, due to such costs being an insured loss, or subject to reduction due to litigation, or for any other reason;

(d) Base rate component of RES compliance costs and revenues;

(e) Identification of capital projects placed in service that were not anticipated in the previous general rate proceeding; and

(f) Any additional requirements ordered by the commission in the prior rate proceeding;

(II) The levels of RES compliance capital costs and expenses in the base rate revenue requirement from the prior general rate proceeding;

(III) The levels of RES compliance capital cost in the base rate revenue requirement from the prior general rate proceeding as adjusted for the proposed date of the periodic adjustment;

(IV) The capital structure as determined in the prior rate proceeding;

(V) The cost rates for the electric utility's debt and preferred stock as determined in the prior rate proceeding;

(VI) The electric utility's cost of common equity as determined in the prior rate proceeding;

(VII) The rate base used in calculating the proposed RESRAM, including an updated depreciation reserve total incorporating the impact of all RES plant investments previously reflected in general rate proceedings or RESRAM application proceedings initiated following enactment of the RES rules; and

(VIII) Calculation of the proposed RESRAM collection rates; and

B. Work papers supporting all items in subparagraph (C)3.A. of this section shall be submitted to the manager of the auditing department and served upon parties as provided in paragraph (A)20. in this section. The work papers may be submitted to the manager of the auditing department through EFIS.

(D) Alternatively, an electric utility may recover RES compliance costs without use of the RESRAM procedure through rates established in a general rate proceeding. In the interim between general rate proceedings the electric utility may defer the costs in a regulatory asset account, and monthly calculate a carrying charge on the balance in that regulatory asset account equal to its short-term cost of borrowing. All questions pertaining to rate recovery of the RES compliance costs in a subsequent general rate proceeding will be reserved to that proceeding, including the prudence of the costs for which rate recovery is sought and the period of time over which any costs allowed rate recovery will be amortized. Any rate recovery granted to RES compliance costs under this alternative approach will be fully subject to the *[retail]* rate *[impact requirements]* **limit** set forth in section (5) of this rule.

(7) Nothing in sections (5) and (6) of this rule shall relieve the electric utility from reviewing its initial or on-going decisions related to adding renewable resource additions or affect the commission's ability to review the prudence of the electric utility's renewable resource additions.

*[(7)]***(8)** Annual RES Compliance Report and RES Compliance Plan. Each electric utility shall file a*[n]* RES compliance report no later than April 15 to report on the status of *[the utility's]* **both its** compliance with the *[renewable energy standard]* **RES** and *[the electric utility's]* **its** compliance plan as described in this section for the most recently completed calendar year. *[The initial annual RES compliance report shall be filed by April 15, 2012, for the purpose of providing the necessary information for the first RES compliance year (2011).]* Each electric utility shall file an annual RES compliance plan with the commission. The plan shall be filed no later than April 15 of each year.

(A) Annual RES Compliance Report.

1. The annual RES compliance report shall provide the following information for the most recently completed calendar year for the electric utility:

A. Total retail electric sales for the utility, as defined by this rule;

B. Total jurisdictional revenue from the total retail electric sales to Missouri customers as measured at the customers' meters;

C. Total retail electric sales supplied by renewable energy resources, as defined by section 393.1025(5), RSMo, including the source of the energy;

D. The number of RECs and S-RECs created by electrical energy produced by renewable energy resources owned by the electric utility. For the electrical energy produced by these utility-owned renewable energy resources, the value of the energy created. For the RECs and S-RECs, a calculated REC or S-REC value for each source and each category of REC;

E. The number of RECs acquired, sold, transferred, or retired by the utility during the calendar year;

F. The source of all RECs acquired during the calendar year;

G. The identification, by source and serial number, of any RECs that have been carried forward to a future calendar year;

H. An explanation of how any gains or losses from sale or purchase of RECs for the calendar year have been accounted for in any rate adjustment mechanism that was in effect for the electric utility;

I. For acquisition of electrical energy and/or RECs from a renewable energy resource that is not owned by the electric utility, **except for systems owned by customer-generators,** the following information for each resource that has a rated capacity of ten (10) kW or greater:

(I) **Facility** *[N]*name, *[address]* **location (city, state)**, and owner *[of the facility]*;

(II) *[An affidavit from the owner of the facility certifying t]*That the energy was derived from an eligible renewable energy technology and that the renewable attributes of the energy have not been used to meet the requirements of any other local or state mandate;

(III) The renewable energy technology utilized at the facility;

(IV) The dates and amounts of all payments from the electric utility to the owner of the facility; and

(V) All meter readings used for calculation of the payments referenced in part (IV) of this paragraph;

J. For acquisition of electrical energy and/or RECs from a customer generator—

(I) Location (zip code);

(II) Name of aggregated subaccount in which RECs are being tracked in;

(III) Interconnection date;

(IV) Annual estimated or measured generation; and

(V) The start and end date of any estimated or measured RECs being acquired;

*[J.]***K.** The total number of customers that applied and received a solar rebate in accordance with section (4) of this rule;

*[K.]***L.** The total number of customers that were denied a solar rebate and the reason(s) for **each** denial;

*[L.]***M.** The amount *[of funds]* expended by the electric utility for solar rebates, including the price and terms of future S-REC contracts associated with the facilities that qualified for the solar rebates;

*[M.]***N.** An affidavit documenting the electric utility's compliance with the RES compliance plan as described in this section during the calendar year. *[This affidavit will include a description of the amount of over- or under-compliance costs that shall be adjusted in the electric utility's next compliance plan]*; and

*[N.]***O.** If compliance was not achieved, an explanation why the electric utility failed to meet the RES.

2. On the same date that the electric utility files its annual RES compliance report, the utility shall post an electronic copy of its annual RES compliance report, excluding highly confidential or proprietary material, on its website to facilitate public access and review.

3. On the same date that the electric utility files its annual RES compliance report, the utility shall provide the commission with separate electronic copies of its annual RES compliance report including and excluding highly confidential and proprietary material. The commission shall place the redacted electronic copies of each electric utility's annual RES compliance reports on the commission's website in order to facilitate public viewing, as appropriate.

(B) RES Compliance Plan.

1. The plan shall cover the current year and the immediately following two (2) calendar years. The RES compliance plan shall include, at a minimum—

A. A specific description of the electric utility's planned actions to comply with the RES;

B. A list of executed contracts to purchase RECs (whether or not bundled with energy), including type of renewable energy resource, expected amount of energy to be delivered, and contract duration and terms;

C. The projected total retail electric sales for each year;

D. Any differences, as a result of RES compliance, from the utility's preferred resource plan as described in the most recent electric utility resource plan filed with the commission in accordance with 4 CSR 240-22, Electric Utility Resource Planning;

E. A detailed analysis providing information necessary to verify that the RES compliance plan is the least cost, prudent methodology to achieve compliance with the RES;

F. A detailed explanation of the calculation of the RES retail impact limit calculated in accordance with section (5) of this rule. This explanation should *[include the pertinent information]* **be accompanied by workpapers including all the relevant inputs used to calculate the retail impact limits** for the planning interval which is included in the RES compliance plan; and

G. Verification that the utility has met the requirements for not causing undue adverse air, water, or land use impacts pursuant to subsection 393.1030.4. RSMo, and the regulations of the *[Department of Natural Resources]* **division**.

(C) Upon receipt of the electric utility's annual RES compliance report and RES compliance plan, the commission shall establish a docket for the purpose of receiving the report and plan. The commission shall issue a general notice of the filing.

(D) 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 (45) days of the filing of the annual RES compliance report and RES compliance plan with the commission. The staff's report shall identify any deficiencies in the electric utility's compliance with the RES.

(E) *[The Office of the Public Counsel]* **OPC** and any interested persons or entities may file comments based on their review of the electric utility's annual RES compliance report and RES compliance plan within forty-five (45) days of the electric utility's filing of its compliance report with the commission.

(F) The commission shall issue an order which establishes a procedural schedule, if necessary.

*[(8)]***(9)** Penalties. An electric utility shall be subject to penalties of at least twice the average market value of RECs or S-RECs for the calendar year for failure to meet the targets of section 393.1030.1, RSMo, and section (2) of this rule.

(A) Any allegation of a failure to comply with the RES *[requirements]* shall be filed as a complaint under the statutes and regulations governing complaints.

(B) An electric utility shall be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated or to the extent that the maximum average retail rate impact increase, as determined in accordance with section (5) of this rule, would be exceeded.

(C) Any penalty payments assessed by the courts shall be remitted to the *[department]* **division**. These payments shall be utilized by the *[department]* **division** for the following purposes:

1. Purchase RECs or S-RECs in sufficient quantity to offset the shortfall of the utility to meet the RES **portfolio** requirements; and

2. Payments in excess of those required in paragraph (C)1. of this section shall be utilized to provide funding for renewable energy and energy efficiency projects. These projects shall be selected by the

[Department of Natural Resources] **division** in consultation with the staff.

(D) Upon determination by the commission that an electric utility has not complied with the RES, penalty amounts shall be calculated by determining the electric utility's shortfall relative to **the** RES *[total]* **portfolio** requirements *[and RES]* **(total and** solar) *[energy requirements]* for the calendar year. The penalty amount recommended by the commission to the court of jurisdiction shall be twice the average market value during the calendar year for RECs or S-RECs in sufficient quantity to make up the utility's shortfall for RES total requirements or RES solar energy requirements. The average market value for RECs or S-RECs for the calendar year shall be based on RECs and S-RECs utilized for compliance with this rule. A recommended average market value for the compliance period shall be calculated by **the** staff. *[The Office of the Public Counsel]* **OPC** and any interested persons or entities may file comments based on their review of **the** staff's recommendation. The commission may issue an order which establishes a further procedural schedule, or the commission may determine the average market value as part of the complaint proceeding.

(E) Any electric utility that is subject to penalties as prescribed by this section shall not seek recovery of the penalties through section (6) of this rule or any other rate-making activity.

*[(9)]***(10)** Nothing in this rule shall preclude a complaint case from being filed, as provided by law, on the grounds that an electric utility is earning more than a fair return on equity, nor shall an electric utility be permitted to use the existence of its RESRAM as a defense to a complaint case based upon an allegation that it is earning more than a fair return on equity.

*[(10)]***(11)** *[Waivers and]* Variances. Upon written application, and after notice and an opportunity for hearing, the commission may *[waive or]*grant a variance from **any** provision of this rule for good cause shown.

(A) The granting of a variance to one (1) electric utility which *[waives or otherwise]* affects the required compliance with a provision of this rule does not constitute a *[waiver]* **variance** respecting, or otherwise affect, the *[required]* compliance **required** of any other electric utility.

(B) The commission may not *[waive or]* grant a variance from this rule in total.

Illustration - Attachment A

RES Budget and Actual with Carryover

2013-2022 RRI Calculation Period

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
Baseline Rev. Req. (MM$)	$2,000.0	$2,100.0	$2,200.0	$2,300.0	$2,400.0	$2,500.0	$2,600.0	$2,700.0	$2,800.0	$2,900.0	10 Year "Budget"
Annual 1% (MM$)	$ 20.0	$ 21.0	$ 22.0	$ 23.0	$ 24.0	$ 25.0	$ 26.0	$ 27.0	$ 28.0	$ 29.0	$ 245.0
Actual Costs	$ 25.0	$ 35.0	$ 5.0	$ 5.0	$ 5.0	$ 40.0	$ 37.0	$ 34.0	$ 31.0	$ 28.0	$ 245.0
Annual Over/(Under)	$ 5.0	$ 14.0	$ (17.0)	$ (18.0)	$ (19.0)	$ 15.0	$ 11.0	$ 7.0	$ 3.0	$ (1.0)	
Cumulative CarryOver - Over/(Under)	$ 5.0	$ 19.0	$ 2.0	$ (16.0)	$ (35.0)	$ (20.0)	$ (9.0)	$ (2.0)	$ 1.0	$ -	

2014-2023 RRI Calculation Period

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023		
												Cumulative "Budget"
Baseline Rev. Req. (MM$)	$2,100.0	$2,200.0	$2,300.0	$2,400.0	$2,500.0	$2,600.0	$2,700.0	$2,800.0	$2,900.0	$3,000.0	10-Year "Budget"	
Annual 1% (MM$)	$ 21.0	$ 22.0	$ 23.0	$ 24.0	$ 25.0	$ 26.0	$ 27.0	$ 28.0	$ 29.0	$ 30.0	$ 255.0	$ 275.0
									Less Carryover		$ (5.0)	
									Adjusted "Budget"		$ 250.0	Cumulative Actual
Actual Costs	$ 35.0	$ 5.0	$ 5.0	$ 5.0	$ 40.0	$ 37.0	$ 34.0	$ 31.0	$ 28.0	$ 30.0	$ 250.0	$ 275.0
Annual Over/(Under)	$ 14.0	$ (17.0)	$ (18.0)	$ (19.0)	$ 15.0	$ 11.0	$ 7.0	$ 3.0	$ (1.0)	$ -		
Plus Prior Carryover	$ 5.0											
Cumulative CarryOver - Over/(Under)	$ 19.0	$ 2.0	$ (16.0)	$ (35.0)	$ (20.0)	$ (9.0)	$ (2.0)	$ 1.0	$ -	$ -		

2015-2024 RRI Calculation Period

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024		
												Cumulative "Budget"
Baseline Rev. Req. (MM$)	$2,200.0	$2,300.0	$2,400.0	$2,500.0	$2,600.0	$2,700.0	$2,800.0	$2,900.0	$3,000.0	$3,100.0	10-Year "Budget"	
Annual 1% (MM$)	$ 22.0	$ 23.0	$ 24.0	$ 25.0	$ 26.0	$ 27.0	$ 28.0	$ 29.0	$ 30.0	$ 31.0	$ 265.0	$ 306.0
									Less Carryover		$ (19.0)	
									Adjusted "Budget"		$ 246.0	Cumulative Actual
Actual Costs	$ 5.0	$ 5.0	$ 5.0	$ 40.0	$ 37.0	$ 34.0	$ 31.0	$ 28.0	$ 30.0	$ 31.0	$ 246.0	$ 306.0
Annual Over/(Under)	$ (17.0)	$ (18.0)	$ (19.0)	$ 15.0	$ 11.0	$ 7.0	$ 3.0	$ (1.0)	$ -	$ -		
Plus Prior Carryover	$ 19.0											
Cumulative CarryOver - Over/(Under)	$ 2.0	$ (16.0)	$ (35.0)	$ (20.0)	$ (9.0)	$ (2.0)	$ 1.0	$ -	$ -	$ -		

Illustration - Attachment A

2016 2025 RRI Calculation Period

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025		
Baseline Rev. Req. (MM$)	$2,300.0	$2,400.0	$2,500.0	$2,600.0	$2,700.0	$2,800.0	$2,900.0	$3,000.0	$3,100.0	$3,200.0	10-Year "Budget"	Cumulative "Budget"
Annual 1% (MM$)	$ 23.0	$ 24.0	$ 25.0	$ 26.0	$ 27.0	$ 28.0	$ 29.0	$ 30.0	$ 31.0	$ 32.0	$ 275.0	$ 338.0
									Less Carryover		$ (2.0)	
									Adjusted "Budget"		$ 273.0	Cumulative Actual
Actual Costs	$ 5.0	$ 5.0	$ 40.0	$ 37.0	$ 34.0	$ 31.0	$ 28.0	$ 30.0	$ 31.0	$ 32.0	$ 273.0	$ 338.0
Annual Over/(Under)	$ (18.0)	$ (19.0)	$ 15.0	$ 11.0	$ 7.0	$ 3.0	$ (1.0)	$ -	$ -	$ -		
Plus Prior Carryover	$ 2.0											
Cumulative CarryOver - Over/(Under)	$ (16.0)	$ (35.0)	$ (20.0)	$ (9.0)	$ (2.0)	$ 1.0	$	$	$	$ -		

2017-2026 RRI Calculation Period

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026		
Baseline Rev. Req. (MM$)	$2,400.0	$2,500.0	$2,600.0	$2,700.0	$2,800.0	$2,900.0	$3,000.0	$3,100.0	$3,200.0	$3,300.0	10-Year "Budget"	Cumulative "Budget"
Annual 1% (MM$)	$ 24.0	$ 25.0	$ 26.0	$ 27.0	$ 28.0	$ 29.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 285.0	$ 371.0
									Less Carryover		$ 16.0	
									Adjusted "Budget"		$ 301.0	Cumulative Actual
Actual Costs	$ 5.0	$ 40.0	$ 37.0	$ 34.0	$ 31.0	$ 28.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 301.0	$ 371.0
Annual Over/(Under)	$ (19.0)	$ 15.0	$ 11.0	$ 7.0	$ 3.0	$ (1.0)	$ -	$ -	$ -	$ -		
Plus Prior Carryover	$ (16.0)											
Cumulative CarryOver - Over/(Under)	$ (35.0)	$ (20.0)	$ (9.0)	$ (2.0)	$ 1.0	$ -	$ -	$	$	$ -		

2018-2027 RRI Calculation Period

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027		
Baseline Rev. Req. (MM$)	$2,500.0	$2,600.0	$2,700.0	$2,800.0	$2,900.0	$3,000.0	$3,100.0	$3,200.0	$3,300.0	$3,400.0	10 Year "Budget"	Cumulative "Budget"
Annual 1% (MM$)	$ 25.0	$ 26.0	$ 27.0	$ 28.0	$ 29.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 295.0	$ 405.0
									Less Carryover		$ 35.0	
									Adjusted "Budget"		$ 330.0	Cumulative Actual
Actual Costs	$ 40.0	$ 37.0	$ 34.0	$ 31.0	$ 28.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 330.0	$ 405.0
Annual Over/(Under)	$ 15.0	$ 11.0	$ 7.0	$ 3.0	$ (1.0)	$ -	$ -	$ -	$ -	$ -		
Plus Prior Carryover	$ (35.0)											
Cumulative CarryOver - Over/(Under)	$ (20.0)	$ (9.0)	$ (2.0)	$ 1.0	$ -	$ -	$ -	$ -	$ -	$ -		

Illustration - Attachment A

2019-2028 RRI Calculation Period

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	10-Year "Budget"	Cumulative "Budget"
Baseline Rev. Req. (MM$)	$2,600.0	$2,700.0	$2,800.0	$2,900.0	$3,000.0	$3,100.0	$3,200.0	$3,300.0	$3,400.0	$3,500.0		
Annual 1% (MM$)	$ 26.0	$ 27.0	$ 28.0	$ 29.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 35.0	$ 305.0	$ 440.0
									Less Carryover		$ 20.0	
									Adjusted "Budget"		$ 325.0	Cumulative Actual
Actual Costs	$ 37.0	$ 34.0	$ 31.0	$ 28.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 35.0	$ 325.0	$ 440.0
Annual Over/(Under)	$ 11.0	$ 7.0	$ 3.0	$ (1.0)	$ -	$ -	$ -	$ -	$ -	$ -		
Plus Prior Carryover	$ (20.0)											
Cumulative CarryOver - Over/(Under)	$ (9.0)	$ (2.0)	$ 1.0	$ -	$ -	$ -	$ -	$ -	$ -	$ -		

2020-2029 RRI Calculation Period

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	10-Year "Budget"	Cumulative "Budget"
Baseline Rev. Req. (MM$)	$2,700.0	$2,800.0	$2,900.0	$3,000.0	$3,100.0	$3,200.0	$3,300.0	$3,400.0	$3,500.0	$3,600.0		
Annual 1% (MM$)	$ 27.0	$ 28.0	$ 29.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 35.0	$ 36.0	$ 315.0	$ 476.0
									Less Carryover		$ 9.0	
									Adjusted "Budget"		$ 324.0	Cumulative Actual
Actual Costs	$ 34.0	$ 31.0	$ 28.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 35.0	$ 36.0	$ 324.0	$ 476.0
Annual Over/(Under)	$ 7.0	$ 3.0	$ (1.0)	$ -	$ -	$ -	$ -	$ -	$ -	$ -		
Plus Prior Carryover	$ (9.0)											
Cumulative CarryOver - Over/(Under)	$ (2.0)	$ 1.0	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		

2021-2030 RRI Calculation Period

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	10-Year "Budget"	Cumulative "Budget"
Baseline Rev. Req. (MM$)	$2,800.0	$2,900.0	$3,000.0	$3,100.0	$3,200.0	$3,300.0	$3,400.0	$3,500.0	$3,600.0	$3,700.0		
Annual 1% (MM$)	$ 28.0	$ 29.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 35.0	$ 36.0	$ 37.0	$ 325.0	$ 513.0
									Less Carryover		$ 2.0	
									Adjusted "Budget"		$ 327.0	Cumulative Actual
Actual Costs	$ 31.0	$ 28.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 35.0	$ 36.0	$ 37.0	$ 327.0	$ 513.0
Annual Over/(Under)	$ 3.0	$ (1.0)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		

Illustration - Attachment A

Plus Prior Carryover	$ (2.0)									
Cumulative CarryOver - Over/(Under)	$ 1.0	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

2022-2031 RRI Calculation Period

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		
Baseline Rev. Req. (MM$)	$2,900.0	$3,000.0	$3,100.0	$3,200.0	$3,300.0	$3,400.0	$3,500.0	$3,600.0	$3,700.0	$3,800.0	10-Year "Budget"	Cumulative "Budget"
Annual 1% (MM$)	$ 29.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 35.0	$ 36.0	$ 37.0	$ 38.0	$ 335.0	$ 551.0
									Less Carryover		$ (1.0)	
									Adjusted "Budget"		$ 334.0	Cumulative Actual
Actual Costs	$ 28.0	$ 30.0	$ 31.0	$ 32.0	$ 33.0	$ 34.0	$ 35.0	$ 36.0	$ 37.0	$ 38.0	$ 334.0	$ 551.0
Annual Over/(Under)	$ (1.0)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$		
Plus Prior Carryover	$ 1.0											
Cumulative CarryOver - Over/(Under)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	TOTAL
Actual Spend 2013 2022	$ 25.0	$ 35.0	$ 5.0	$ 5.0	$ 5.0	$ 40.0	$ 37.0	$ 34.0	$ 31.0	$ 28.0	$ 245.0
Budget 2013-2022	$ 20.0	$ 21.0	$ 22.0	$ 23.0	$ 24.0	$ 25.0	$ 26.0	$ 27.0	$ 28.0	$ 29.0	$ 245.0
Revenue Requirement 2013 2022	$2,000.0	$2,100.0	$2,200.0	$2,300.0	$2,400.0	$2,500.0	$2,600.0	$2,700.0	$2,800.0	$2,900.0	$24,500.0
Budget % of Revenue Requirement	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
Actual % of Revenue Requirement	1.3%	1.7%	0.2%	0.2%	0.2%	1.6%	1.4%	1.3%	1.1%	1.0%	$\boxed{1.0\%}$

AUTHORITY: section 393.1030, RSMo Supp. [2009] ***2013****, and sections 386.040 and 386.250, RSMo 2000. Original rule filed Jan. 8, 2010, effective Sept. 30, 2010. Amended: Filed March 25, 2015.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities five hundred ten thousand dollars ($510,000) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before June 1, 2015, and should include a reference to Commission Case No. EX-2014-0352. Comments may also be submitted via a filing using the commission's electronic filing and information system at http://www.psc.mo.gov/efis.asp. A public hearing regarding this proposed amendment is scheduled for June 11, 2015, at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

FISCAL NOTE
PRIVATE COST

I. **Department Title:** 4
Division Title: 240
Chapter Title: 20

Rule Number and Title:	4 CSR 240-20.100 Electric Utility Renewable Energy Standard Requirements
Type of Rulemaking:	Proposed Amendment

II. **SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
4	**Investor-owned electric utilities**	**$510,000**
40	**Solar industry businesses**	**$0**

III. **WORKSHEET**

Three investor-owned electric utilities (IOUs) indicate an aggregate estimate of the cost of compliance will be $510,000. This estimate is based on the need for additional contractor resources to aid in the review and processing of solar applications within required deadlines and in calculation of the retail rate impact.

Representatives of the solar industry indicated it did not have a fiscal impact analysis to provide at this time.

IV. **ASSUMPTIONS**

Estimated life of this rule is three years.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Telecommunications, IVoIP, Video Services

PROPOSED RULE

4 CSR 240-28.010 Definitions

PURPOSE: This rule defines various terms used in this chapter, which are not defined in sections 386.020 or 67.2677, RSMo.

(1) Access line—A line connected to the customer's premises used to provide basic local telecommunications service or used to provide IVoIP service.

(2) Certification—The granting of a certificate of service authority by the commission or charter by the state of Missouri.

(3) Commission—The Missouri Public Service Commission.

(4) EFIS—The commission's Electronic Filing and Information System (EFIS). EFIS is a system allowing the electronic exchange of commission filings. The system also maintains certain information about each company registered or certificated by the commission. EFIS may be accessed through the commission's website at www.psc.mo.gov.

(5) Detariff—To discontinue using a tariff to describe a company's rates, terms, and conditions of service by withdrawing the tariff, in whole or in part, from the commission's electronic filing and information system.

(6) Information and Referral (I&R) service—A service used to provide community and referral information. As used in this chapter, this term is associated with an arrangement whereby callers can access an I&R service by dialing "211."

(7) Interconnection agreement—An agreement that is required to be filed with a state commission as contemplated by 47 U.S.C. 252 containing the terms, conditions, and rates associated with interconnection services.

(8) Interconnection services—Services associated with the duties and obligations placed on telecommunications carriers as contemplated by 47 U.S.C. 251.

(9) Intrastate—A telecommunications or IVoIP service originating and terminating within Missouri regardless of how the service is routed.

(10) Net Jurisdictional Revenue—This term is defined in 4 CSR 240-31.010(17).

(11) Non-switched local exchange telecommunications service—Facilities solely dedicated to connecting a customer's locations within an exchange, which does not traverse the local public switched network.

(12) Payphone service—Service providing two- (2-) way voice service for a fee to the general public using a privately owned device.

(13) Registration—The granting of a registration to provide interconnected voice over the Internet protocol service or video service by the commission.

(14) Retail service—Telecommunications or IVoIP service provided directly to end users.

(15) Shared tenant service—Generally the provisioning of a commercially shared telecommunications service provided to residents in a building or a common limited geographic area.

(16) Switched access service—A wholesale service that enables the origination or termination of interexchange telecommunication service. The service is provided to an interexchange company by a local telecommunications service provider.

(17) Tariff—A document submitted to the commission identifying the telecommunications services offered by a company and also identifying the rates, terms, and conditions for the use of such services.

(18) Total Missouri Jurisdictional Operating Revenue—A company's total revenue associated with the provisioning of intrastate telecommunications and IVoIP services. This revenue includes a company's net jurisdictional revenue, wholesale revenues, and any revenue received from the Missouri Universal Service Fund minus wholesale uncollectibles. Total Missouri jurisdictional operating revenue is annually reported and is used for the commission assessment.

(19) Wholesale service—Telecommunications or IVoIP services provided to other telecommunications or IVoIP service providers.

AUTHORITY: sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014. Original rule filed April 1, 2015.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before June 29, 2015, and should include a reference to Commission Case No. TX-2015-0097. Comments may also be submitted via a filing using the commission's electronic filing and information system at http://www.psc.mo.gov/efis.asp. A public hearing regarding this proposed rule is scheduled for July 6, 2015, at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Telecommunications, IVoIP, Video Services

PROPOSED RULE

4 CSR 240-28.020 General Provisions

PURPOSE: This rule describes the general requirements applicable