BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Proposed Amendments of the Commission's Rules Relating to Electric Utilities in Chapters 20, 22, and 23 of 20 CSR 4240	))))	Case No. EX-2027-0060

COMMENTS OF THE OFFICE OF THE PUBLIC COUNSEL

Pursuant to the Public Service Commission of the State of Missouri's (the "Commission") *Notice of Hearing and Comment Period* filed in the above styled case on September 8, 2026, the Office of the Public Counsel (the "OPC") submits these comments.

I. Introduction

The OPC appreciates the opportunity to provide this feedback to the Commission on the twenty-two (22) rules at issue in this matter. The OPC has comments on just six (6) of the rules. Several of the OPC's proposals are "clean-up" type edits, where rather than simply updating the title and division number of the referenced rule, additional changes are needed. The OPC also strongly opposes the Commission's proposed change to the referenced year in 20 CSR 4240-20.030(3) because doing so would fundamentally change how electrical corporations complete their plant accounting. The OPC also suggests further deletions in the net metering application that is included in 20 CSR 4240-20.065 to recognize that the solar rebates have expired and to avoid future customer confusion. Finally, the OPC suggests a simplification to 20 CSR 4240-20.093(15)(C) to generally reference the Commission's intervention rule. Each of the OPC's proposed changes are explained below.[1]

[1] To show its proposed changes, the OPC has included the Commission's proposed changes as they appear in each of the filed rules. The OPC has bolded and struck-through the items that it believes should be removed. It has included its proposed additions in bolded red text.

II. The OPC's Comments on the Proposed Rules

1. Rule 20 CSR 4240-20.030: Modify reference to rule that no longer exists

> PURPOSE: This rule directs electrical corporations within the commission's jurisdiction to use the uniform system of accounts prescribed by the Federal Energy Regulatory Commission for major electric utilities and licensees, as modified herein. Requirements regarding the submission of depreciation studies, databases and property unit catalogs are found at [4 CSR 240-3.160 and 4 CSR 240-3.175] **20 CSR 4240-~~10.200~~3.175**.

Explanation: As proposed the purpose statement of 20 CSR 4240-20.030 references 20 CSR 4240-10.200, however, that rule does not exist in the current version of the Commission's Chapter 10 rules. The OPC believes this should be a reference to 20 CSR 4240-3.175, which identifies the submission requirements for electric utility depreciation studies.

2. Rule 20 CSR 4240-20.030(3): Reject change to the year specified in section (3)

> (3) Regarding plant acquired or placed in service after **~~[~~1993~~]~~ ~~2026~~**, when implementing section (1), each electrical corporation subject to the commission's jurisdiction shall—

Explanation: Commission Rule 20 CSR 4240-20.030 requires electrical corporations to use the Federal Energy Regulatory Commission's uniform system of accounts. Section (3) of the rule identifies specific requirements regarding certain plant, specifically all plant "acquired or placed in service *after 1993*." 20 CSR 4240-20.030 (emphasis added). With this rulemaking, the Commission proposes to change the date in this section from 1993 to 2026. Doing so would vastly change how electrical corporations are required to keep their plant records, as much of the electrical corporations' plant was acquired or placed in service *before* 2026. For this reason, the OPC strongly opposes this proposed change.

To ensure that the 20 CSR 4240-20.030(3)'s requirements continue to apply as they have done so, the OPC requests that the Commission reject the proposed change and maintain the section as currently written, with the year identified as 1993.[2]

3. Rule 20 CSR 4240-20.065 (Interconnection Application/Agreement): Remove remaining references to solar rebates[3]

~~**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.]***~~[4]

[2] Alternatively, to simplify the section, the Commission could remove the limitation on certain plant. This change would look like: "Regarding plant ~~**[acquired or placed in service after 1993]**~~, when implementing section (1), each electrical corporation subject to the commission's jurisdiction shall–"

[3] For brevity, the OPC has included only those sections of the Application that it suggests the Commission make changes to. These sections are: (1) the section entitled "For Customers Who Are Installing Solar Systems;" (2) Subsection D(4) that is entitled "Ownership of Renewable Energy Credits or Renewable Energy Certificates (RECs);" (3) Subsection H that is entitled "Solar Rebate (For Solar Installations only);" and (4) Subsection I that is entitled "Solar Rebate Declaration (For Solar Installations only)."

[4] The Commission proposed deleting the italicized portion of this section. The OPC agrees with that deletion. To show this agreement, it has bolded and struck-through that section as well.

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.**

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 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] ten-year (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.] [5]

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.

[5] The Commission proposed deleting the italicized portion of this section. The OPC agrees with that deletion. To show this agreement, it has bolded and struck-through that section as well.

~~**I understand that a maximum of [25] twenty-five kilowatts (25 kW) 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 H 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 a period of ten (10) years from the date [Utility Name] confirmed that the system was installed and operational, and during this period, I may not claim credit for the SRECs under any environmental program or transfer or sell the SRECs to any other party.**~~

~~**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 a minimum of [10] ten (10)years and the system shall be situated in a**~~

~~**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**~~

Explanation: Rule 20 CSR 4240-20.065 sets forth the Commission's net metering rules. This rule includes the Interconnection Application/Agreement for Net Metering Systems with Capacity One Hundred Kilowatts (100 kW) or Less (the "Application"). The rule requires customers who wish to enter into a net metering agreement to complete the Application or one substantially similar to it. 20 CSR 4240-20.065(7).

Several of the Commission's proposed changes to this rule pertain to the Application, in particular the deletion of provisions that reference the existence of a solar rebate in the section entitled "For Customers Who Are Installing Solar Systems" and in subsection H of the Application, which is entitled "Solar Rebate (For Solar Installations only)."

It is the OPC's understanding that solar rebates are no longer available.[6] Therefore, the OPC suggests that in addition to deleting the provisions that identify the amount of the solar rebate for each time period (of which all have expired), the Commission should also delete all references to the solar rebates throughout the Application as it appears in the rule. This will avoid customer confusion as customers will not have to question whether they are entitled to a rebate when one no longer exists. To delete all references to the solar rebate, the Commission should strike all of the "For Customers Who Are Installing Solar Systems" and subsections H and I of the Application, as well as the final clause of subsection D(4) , which is entitled "Ownership of Renewable Energy Credits or Renewable Energy Certificates (RECs)."

4. Rule 20 CSR 4240-20.070: Remove reference to additional requirements

> PURPOSE: This rule is promulgated pursuant to section 393.292, RSMo to—1) govern the review and authorization of changes to the rates and charges contained in the tariff(s) of an electric corporation as a result of a change in the level or annual accrual of funding necessary for its nuclear power plant decommissioning trust fund, 2) govern the procedure for the submission, examination, hearing, and approval for the tariff changes, and 3) ensure that the amounts collected from ratepayers and paid into the trust funds will be neither greater nor lesser than the amounts necessary to carry out the purposes of the trust.

[6] This is shown by the language included in the Application as it currently exists in 20 CSR 4240-20.065, which shows that the solar rebate is calculated as $0.00 per watt for systems operational after June 30, 2020. The OPC notes that the Empire District Electric Company d/b/a Liberty's ("Liberty") tariff includes an Application that stated that the rebate was "$0.00 per watt for systems operational after December 31, 2023." (Liberty Tariff Revised Sheet No. 15a). The Application included in Union Electric Company d/b/a Ameren Missouri's ("Ameren") tariff identifies the same amount as that included in the Application in the current rule. (Ameren Tariff 2nd Revised Sheet No. 171.6). Neither the Application in Evergy Missouri West, Inc. d/b/a Evergy Missouri West's ("Evergy West) tariff nor that included in Evergy Metro, Inc. d/b/a Evergy Missouri Metro's ("Evergy Metro") tariff appears to include any language identifying the amount of a solar rebate. (Evergy West Tariff 7th Revised Sheet No. 117-3rd Revised Sheet No. 119.6; Evergy Metro Tariff 3rd Revised Sheet No. 34H-2nd Revised Sheet No. 34P).

~~**Additional requirements pertaining to this subject matter are also found at [4 CSR 240-3.185] 20 CSR 4240-3.185.**~~

Explanation: Rule 20 CSR 4240-20.070 applies to decommissioning trust funds. In its proposed amendment for this rule, the Commission proposes to update the reference to 4 CSR 240-3.185 in the last sentence of the rule's purpose statement to 20 CSR 4240-3.185. However, 20 CSR 4240-3.185 does not exist in the Commission's current version of the Chapter 3 rules.[7] It is not clear what other Commission rule the purpose statement may be referring to. Therefore, the OPC suggests deleting the entire last sentence of the purpose statement.

5. Rule 20 CSR 4240-20.091(1)(C).1: Modify reference to other rule

(1) Definitions. As used in this rule, the following terms mean as follows:

(C) Environmental costs means prudently incurred costs, both capital and expense, directly related to compliance with any federal, state, or local environmental law, regulation, or rule.

1. Environmental costs do not include fuel and purchased power costs as defined in [4 CSR 240-20.090(1)(B)] 20 CSR 4240-20.090(1)(~~B~~)**L**.

2. Prudently incurred costs do not include any increased costs resulting from negligent or wrongful acts or omissions by the utility;

Explanation: Rule 20 CSR 4240-20.091 applies to Environmental Cost Recovery Mechanisms. Section (1) identifies definitions of various terms used in the rule and subsection (1)(C) sets forth the definition of "Environmental costs." Subsection (1)(C).1 states that "fuel and purchased power costs" are not included in the definition of Environmental costs. Currently it refers to 4 CSR 240-20.091(1)(B) as the definition of "fuel and purchased power costs." The Commission proposes to update the reference from 4 CSR 240-20.091(1)(B) to 20 CSR 4240-20.090(1)(B). However, 20 CSR 4240-20.090(1)(B) provides the definition for "Actual net energy costs (ANEC)." The definition for "Fuel and purchased power costs" in 20 CSR 4240-20.090(1) is found in subsection

[7] This statement is unaffected by the Commission's recent rulemaking docket addressing Chapter 3, Case Number OX-2026-0334, as the Commission did not promulgate a new 20 CSR 4240-3.185 in that docket.

(L). Therefore, the OPC suggests that the reference to 20 CSR 4240-20.090(1)(B) be changed to 20 CSR 4240-20.090(1)(*L*), so that the rule references the correct definition.

6. Rule 20 CSR 4240-20.092(1)(X): Modify reference to other rule

(1) As used in [4 CSR 240-20.093 and 4 CSR 240-20.094] 20 CSR 4240-20.093 and 20 CSR 4240-20.094, the following terms mean:

(X) Energy savings target means the energy savings level approved by the commission under [4 CSR 240-20.094(4)(I) or 4 CSR 240-20.094(5)(A)6] 20 CSR 4240- 20.094(4)(I) or 20 CSR 4240-20.094(5)(A)~~6~~**5**. Energy savings targets are the baseline for determining the utility's demand-side portfolio's energy savings performance levels for the earnings opportunity component of a DSIM;

Explanation: Rule 20 CSR 4240-20.092 identifies the definitions for demand-side programs and demand-side programs investment mechanisms. Subsection (1)(X) provides the definition of "Energy savings target" and references "the energy savings level approved by the commission under 4 CSR 240-20.094(4)(I) or 4 CSR 240-20.094(5)(A)6." The Commission proposes to update both references so that they refer to rules in Chapter 20 as opposed to Chapter 4. For purposes of this comment, the Commission proposes to update the reference to 4 CSR 240-20.094(5)(A)6 to 20 CSR 4240-20.094(5)(A)6. However, 20 CSR 4240-20.094(5)(A)6 states that the Commission shall provide the opportunity for a hearing if an objection is raised. The OPC believes that this should instead be a reference to 20 CSR 4240-20.094(5)(A)5, which references a Commission order on an application for approval of modifications to demand-side programs. Updating this reference to subsection 5 as opposed to subsection 6 also mirrors the proposed change in 20 CSR 4240-20.092(1)(O).

7. Rule 20 CSR 4240-20.093(15)(C): Simplify reference to general intervention rule

(15) Party status and providing to other parties affidavits, testimony, information, reports, and workpapers in related proceedings subsequent to the utility's filing for demand-side program approval, modification, or continuation of a DSIM.

(C) A person or entity not a party to the utility's filing for demand-side program approval in which a DSIM is approved by the commission may timely apply to the commission for intervention, pursuant to [4 CSR 240-2.075(2) through (4)] 20 CSR 4240- 2.075**~~(2) through (4) of the commission's rule on intervention, respecting any related subsequent periodic rate adjustment proceeding or, pursuant to [4 CSR 240-2.075(1) through (5)] 20 CSR 4240-2.075(1) through (5), respecting any subsequent utility's filing for demand-side program approval to modify, continue, or discontinue the same DSIM.~~**

Explanation: As proposed 20 CSR 4240-20.093(15)(C) references different sections of the Commission's general intervention rule, 20 CSR 4240-2.075, based on the type of case at issue. Based on the current language of the Commission's intervention rule, 20 CSR 4240-2.075, it is unclear why this differentiation is included. Specifically, section (1) of the intervention rule identifies when a motion to intervene shall be filed and section (5) applies to service upon an association. It is unclear why these sections are included in the reference for certain cases and not others. The OPC suggests simplifying this subsection of 20 CSR 4240-20.093 by including only a reference to the general intervention rule itself and removing the distinction between the types of cases.

III. Conclusion

The OPC appreciates the opportunity to provide these comments for the Commission's consideration and looks forward to the opportunity to answer any questions at the Commission's rulemaking hearing.

[Continued on next page]

WHEREFORE, the OPC respectfully requests that the Commission consider these comments and make the changes suggested throughout.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this 2nd day of November 2026.

/s/ Lindsay VanGerpen