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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

IN THE MATTER OF A PROPOSED RULEMAKING TO AMEND
COMMISSION RULE 4 CSR 240-20.065

Case No. EX-2009-0267

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING

VOLUME 1

MAY 1, 2009

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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS

Public Hearing

May 1, 2009

Jefferson City, Missouri

Volume 1

In the Matter of a Proposed)
Rulemaking to Amend Commission) Case No. EX-2009-0267
Rule 4 CSR 240-20.065)

MORRIS L. WOODRUFF, presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE
ROBERT M. CLAYTON, III, Chairman
(via telephonically)

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1 P R O C E E D I N G S

2 JUDGE WOODRUFF: Good afternoon everyone.
3 Welcome to the comment hearing on proposed rulemaking to
4 amend Commission Rule 4 CSR 240-20.065. It's described as
5 File No. EX-2009-0267. And as indicated, this is a public
6 comment hearing, so we're going to hear comments.

7 Let's start by taking entries of appearance
8 from the attorneys.

9 Before I do that, I want to mention that
10 Chairman Clayton is on the telephone.

11 Chairman Clayton, can you hear us?

12 CHAIRMAN CLAYTON: I can hear you. Thank
13 you.

14 JUDGE WOODRUFF: Okay. Beginning for
15 entries of appearance, then, beginning with Staff.

16 MR. DOTTHEIM: Steven Dottheim, Post Office
17 Box 360, Jefferson City, Missouri 65102, appearing on
18 behalf of the Staff of the Missouri Public Service
19 Commission.

20 JUDGE WOODRUFF: All right. And for Public
21 Counsel.

22 MR. MILLS: On behalf of the Office of
23 Public Counsel and the public, my name is Lewis Mills. My
24 address is Post Office Box 2230, Jefferson City, Missouri
25 65102.

1 JUDGE WOODRUFF: And I see an attorney for
2 AmerenUE here.

3 MS. TATRO: Wendy Tatro, T-a-t-r-o,
4 1901 Chouteau Avenue, St. Louis, Missouri 63103, appearing
5 on behalf of AmerenUE.

6 JUDGE WOODRUFF: Okay. And I believe
7 counsel for Renew Missouri is here.

8 MR. ROBERTSON: Yes. Henry Robertson, Great
9 Rivers Environmental Law Center, 705 Olive Street,
10 Suite 614, St. Louis, Missouri 63101, appearing on behalf
11 of Renew Missouri.

12 JUDGE WOODRUFF: Okay. I just note that
13 there is no sound on the web cast, so I'm going to check
14 on that.

15 He just e-mailed me back saying the sound is
16 okay now, so we're okay.

17 All right. Well, let's begin for comments
18 with Staff.

19 I'm sorry. There is some other gentlemen in
20 the room here.

21 Are either of you attorneys?

22 No.

23 Who are you representing?

24 MR. RENTZ: Henry Rentz for Missouri Valley
25 Renewable Energy. We're a solar installer.

1 JUDGE WOODRUFF: Okay. And the other
2 gentleman.

3 MR. PROST: And my name is Vaughn Prost of
4 Missouri Solar Applications. We're a solar designer/
5 installer.

6 JUDGE WOODRUFF: All right. I'll make sure
7 everybody gets a chance to comment today.

8 We'll begin with Staff.

9 MR. DOTTHEIM: The Staff hasn't filed any
10 comments, and we don't have any prepared comments. If
11 there are any questions from the bench or questions from
12 Chairman Clayton, the Staff has Dan Beck of the Energy
13 Department here today who is available to testify.

14 I myself, though, rather belatedly, noticed
15 an item in the proposed amendment that I might make note
16 of, and that is, there is a reference in the proposed
17 language regarding any tariff or contract offered by a
18 utility or cooperative to customer generators shall
19 contain certain language.

20 The prior legislation to the Net Metering
21 and Easy Connection Act, that is, the Consumer Clean
22 Energy Act legislation, gave the Commission jurisdiction
23 over rural electric cooperatives regarding net metering.

24 And the Consumer Clean Energy Act created
25 Section 386.887, which was subsequently repealed by the

1 Net Metering and Easy Connection Act, which established
2 Section 386.890.

3 But going back to the Consumer Clean Energy
4 Act, 386.887.3, contains the sentence: The Commission, in
5 consultation with the Department and retail electric
6 suppliers, shall develop a simple contract for such
7 transactions and make it available to eligible customer
8 generators and retail electric suppliers.

9 As a consequence of the language in the
10 Consumer Clean Energy Act, that language applied to rural
11 electric cooperatives, in addition to public utilities.

12 In the subsequent legislation the Net
13 Metering and Easy Connection Act, the legislation was not
14 as broad. It did not extend the Commission's jurisdiction
15 as broadly as had the prior legislation.

16 I would direct the Commission to
17 Sections 386.890.9 and 386.890.10.

18 386.890.9 states in part that the Commission
19 shall within nine months of January 1, 2008 promulgate
20 initial rules necessary for the administration of this
21 section for public utilities which shall include
22 regulations ensuring that simple contracts will be used
23 for interconnection and net metering.

24 Section 386.890.10 contains the sentence:
25 The governing body of a rural electric cooperative or

1 municipal utility shall within nine months of January 1,
2 2008 adopt policies establishing a simple contract to be
3 used for interconnection and net metering.

4 As a consequence of that language, I think
5 the Commission might want to take a look again at its
6 proposed language and possibly excise the reference to a
7 cooperative in its proposed language and limit the
8 reference to any tariff or contract offered by a utility
9 as opposed to any tariff or contract offered by a utility
10 or a cooperative.

11 I would also direct in that same vein the
12 Commission to a section in the Net Metering and Easy
13 Connection Act to Section 386.890.6(3), which states in
14 part: For customer generator systems of greater than ten
15 kilowatts, the Commission for public utilities and the
16 governing body for other utilities shall by rule or
17 equivalent formal action by each governing body, colon, A,
18 set forth safety performance and reliability standards and
19 requirements and, B, establish the qualifications for
20 exemption from a requirement to install additional
21 controls, perform or pay for additional tests or
22 distribution equipment or purchase additional liability
23 insurance.

24 And I would direct the Commission to that
25 subsection, because, again, it appears to draw a

1 distinction between the Commission in regards to public
2 utilities and the governing body for other utilities,
3 which would be the governing body for, I think, rural
4 electric coops and municipal utilities, which distinction
5 I don't believe was made in the prior legislation for that
6 net metering.

7 Again, I apologize. I only belatedly
8 noticed that matter; otherwise, I would have submitted
9 those comments in writing.

10 JUDGE WOODRUFF: That's all right. We've
11 got them on the record now.

12 MR. DOTTHEIM: Okay. Chairman Clayton, do
13 you have any questions for Staff?

14 CHAIRMAN CLAYTON: I have no questions.
15 Thank you.

16 JUDGE WOODRUFF: Thank you.

17 Move now to Mr. Mills for Public Counsel.

18 MR. MILLS: Thank you, Judge. I have a
19 couple of comments.

20 One, I believe that the Commission in its
21 package to the Secretary of State claims that it is
22 promulgating these rules under the authority granted under
23 Section 386.250 and Section 386.887, which is now and was
24 at the time that you proposed these rules invalid, no
25 longer in effect.

1 attempts to create some liability that I think is probably
2 well beyond the rulemaking authority that was delegated to
3 the Commission by statute.

4 And the second sentence to which I just
5 referenced isn't even a rule. It's just sort of a
6 requirement that you state something in a contract that
7 doesn't really have any effect.

8 And then the final sentence that the
9 Commission proposes to add to the rule is even more
10 problematic because it doesn't even require that sentence
11 to be placed in a contract.

12 It's simply speculation in a rule about what
13 liability may or may not be, and I don't think it has any
14 effect at all, and there is really no reason to have it in
15 there.

16 Those are my comments.

17 JUDGE WOODRUFF: Thank you very much.

18 Chairman Clayton, any questions?

19 CHAIRMAN CLAYTON: I'm sorry. I've got the
20 phone on mute. That's why it's taking me so long to click
21 over.

22 I just want to be clear. Mr. Mills, you're
23 suggesting that -- you're joining in on the comments of
24 Renew Missouri with opposition to the extra language that
25 was added in this rulemaking. Is that correct?

1 MR. MILLS: That's correct.

2 CHAIRMAN CLAYTON: Okay. Where do you stand
3 on the under 10kW insurance issue? Are you in favor of
4 repealing that as well?

5 MR. MILLS: I am in favor of repealing that,
6 but I don't believe that there is any necessity to go the
7 further step and either speculate about where liability
8 may lay or try to establish where liability lies in a
9 rulemaking.

10 CHAIRMAN CLAYTON: Okay. Where do you stand
11 on the over 10kW insurance mandate?

12 I think the rules sets it at 100,000, and
13 some of the comments suggest that it should increase to a
14 million dollars.

15 Do you have a position on systems greater
16 than 10kW?

17 MR. MILLS: Mr. Chairman, I really don't.

18 To my mind I think a million dollars is
19 probably excessive, but, honestly, I don't know how large
20 a system we may eventually be talking about or what the
21 cost of the insurance may be.

22 I simply haven't enough information to make
23 a judgment call on whether it should be increased from the
24 \$100,000 that's in the rule currently.

25 CHAIRMAN CLAYTON: Okay. I don't have any

1 other questions. Thank you.

2 JUDGE WOODRUFF: Thank you.

3 Move on to Mr. Robertson, then, for Renew
4 Missouri.

5 MR. ROBERTSON: Thank you, Judge. I filed
6 comments electronically yesterday.

7 Let me just say that there are two points I
8 want to make. First is that I agree with removing the
9 insurance requirement for systems of ten kilowatts or
10 less, the primary reasoning being that it simply was not
11 authorized in the legislation due to what was obviously a
12 drafting error by somebody in the Legislature.

13 There was a cross reference to an insurance
14 requirement that didn't exist, and the Commission cannot
15 take the part of the Legislature and insert an insurance
16 requirement that the Legislature itself did not authorize.

17 And, secondly, we agree with Mr. Mills about
18 the language that's been added to the standard contracts
19 warning customer generators of these liabilities.

20 This language is extremely vague as to what
21 those liabilities might be. I can't even tell what they
22 would be, negligence or other wrongful conduct that causes
23 personal injury, including death damages, to property or
24 other actions in claims.

25 That sheds no light; however, it does create

1 I think a good deal of heat in the mind of potential
2 customer generators who I think might be scared off and
3 deterred from taking advantage of the Easy Connection Act.

4 I see that it serves no other purpose than
5 to deter them and has a chilling effect on their option to
6 use net metering under the law.

7 And since the Easy Connection Act has as its
8 purpose making interconnection an easy process using a
9 simple contract, I would ask the Commission to remove that
10 language.

11 And regarding Mr. Dottheim's interpretations
12 of the statutes, I had my mind on other things, but now
13 that I've heard and seen him dissect the law, I concur
14 with him. I think he is correct.

15 JUDGE WOODRUFF: Chairman Clayton, any
16 questions for Mr. Robertson?

17 CHAIRMAN CLAYTON: Yes.

18 I wanted to ask what his position is on
19 systems greater than 10kW in terms of mandates for
20 insurance.

21 MR. ROBERTSON: I have no objection to the
22 insurance business set at \$100,000, and I think that is
23 adequate.

24 I think perhaps the solar installers are
25 here. Mr. Rentz and Mr. Prost can probably address that

1 better than I can, but I do not believe that any higher
2 requirement is necessary.

3 CHAIRMAN CLAYTON: Okay. So you'd be
4 opposed to it being increased to a million dollars as
5 suggested in some of the comments?

6 MR. ROBERTSON: Yes.

7 CHAIRMAN CLAYTON: Okay. Thank you.

8 JUDGE WOODRUFF: All right. We'll move over
9 to Ms. Tatro for Ameren.

10 MS. TATRO: Thank you, Your Honor.

11 AmerenUE filed its written comments
12 yesterday.

13 Briefly, we think the law does require -- or
14 does not allow the Commission to impose insurance
15 requirements on the smaller system. We don't oppose the
16 additional language.

17 I don't believe that UE agrees that it would
18 necessarily be a deterrent to someone who is looking to
19 hook up to the system. It's perhaps an acknowledgement
20 that maybe potentially there is some liability there, and
21 I don't know what is wrong with making sure people are
22 aware that that's the case.

23 Our major comment is to request that the
24 Commission increase the insurance requirement for systems
25 greater than ten kilowatts from 100,000 to a million. I

1 believe that those systems mostly -- that those systems
2 wouldn't be installed by a homeowner. Those are much
3 larger systems. If there is going to be a negative
4 impact, those systems would be more likely to have it than
5 a smaller system.

6 And it seems perfectly consistent with the
7 legislation that was passed, that the Commission could
8 impose the higher level. And I think there was some
9 testimony about that from individuals at UE in the last
10 rulemaking. We think a million is the appropriate level.

11 JUDGE WOODRUFF: Okay. Thank you.

12 Chairman Clayton, any questions for
13 Ms. Tatro?

14 CHAIRMAN CLAYTON: I have no questions.

15 Thank you.

16 JUDGE WOODRUFF: All right. Thank you.

17 And we have a couple other gentlemen here.

18 Let's begin with Mr. Rentz for Missouri Valley Renewable
19 Energy.

20 MR. RENTZ: Missouri Valley Renewable.

21 Thank you very much.

22 We feel like the insurance requirement is,
23 first of all, not even necessary in systems until you get
24 up to about 100,000 -- 100kW, primarily because of the UL
25 standards that are already set. Laws have already been

1 set. The standards are set. All of the utilities know
2 that.

3 When you get into large systems, when you
4 get into 100kW or up, or even a 50kW system, the
5 requirements of insurance are generally already there in
6 commercial insurance.

7 Under systems of 10kW there is no insurance
8 available. You cannot get a homeowner's policy that will
9 write that, nor can you get any insurance agency at all to
10 write a policy, simply because it's not their practice to
11 name two co-pays.

12 In other words, you can be the homeowner and
13 be insured; but what their requirements state is that they
14 wanted to be named a beneficiary of that policy should
15 something happen. There is no insurance available for
16 that, and I believe they knew very well that when they
17 tried to impose that law.

18 Secondly, I think between 10kW and 100kW is
19 getting into the commercial range. And, generally
20 speaking, most of the time the insurance is available
21 there on a commercial basis.

22 And Ms. Tatro was right, when you get into
23 those larger systems, there may be some liability,
24 probably not, and there never has been a case of any
25 liability arisen from any of these systems installed and

1 in history that anyone can report or knows of.

2 And so the liability there basically falls
3 back to, I think, our litigious society, where we just
4 want to blame someone.

5 I was commented to by a person with one of
6 the utilities -- and I won't name a name -- that we just
7 want to be able to blame somebody if something happens.
8 We want to know who to point the finger at.

9 And it was just a simple matter of trying to
10 protect yourself, and I totally understand that, but I
11 also feel like it's totally unnecessary.

12 And we feel like the purpose of the Easy
13 Connection Act was just simply that, to make it easy to
14 install.

15 And if you think of our position as
16 installers and pioneers in the state of Missouri to bring
17 new economic development to the state, the purpose of us
18 even trying to get the net metering laws and the new
19 provisions under the Prop C pass was simply to build an
20 economic base and build a new industry in Missouri.

21 And so with these laws that are coming in
22 and the different stipulations, it blocks us, and it
23 blocks the will of the people, because 66 percent of the
24 people vote for this, and it passed through a majority all
25 of the time.

1 So it's just to me just another roadblock
2 and just a way to slow things down, and I think it stifles
3 growth in Missouri, and I think it's unfair to the public.

4 JUDGE WOODRUFF: Thank you, Mr. Rentz.

5 And you had given me a document before the
6 hearing as well --

7 MR. RENTZ: Yes, sir.

8 JUDGE WOODRUFF: -- a written position.

9 The court reporter has that. We'll go ahead
10 and mark it as Exhibit 1.

11 MR. RENTZ: Thank you.

12 (EXHIBIT NO. 1 WAS MARKED FOR IDENTIFICATION
13 BY THE COURT REPORTER.)

14 JUDGE WOODRUFF: Chairman Clayton, do you
15 have any questions for Mr. Rentz?

16 CHAIRMAN CLAYTON: I do have just a couple
17 of real quick questions.

18 I wanted to ask: In your experience does it
19 involve systems greater or less than 10kW or both?

20 MR. RENTZ: Both, Chairman.

21 CHAIRMAN CLAYTON: Both.

22 What are you seeing in terms of development
23 in the state of Missouri right now, smaller systems,
24 larger systems?

25 MR. RENTZ: I've seen in the past -- in the

1 past systems have been 10kW, 20kW and less, only because
2 the laws weren't conducive to installing the system
3 larger. Now with the Easy Connection Act and with the
4 Proposition P passing, there are a number of commercial
5 entities that would like to install these systems.

6 Without incentives to install the system,
7 homeowners are strapped in order to do it and small
8 businesses primarily are strapped to do it.

9 We -- our position is basically that we're
10 not trying to become competition with the utilities.
11 We're only trying to help them out as far as peak load
12 demand shaving, because we'll never be a cogenerator in
13 the sense of a baseline contribution to power sources. We
14 know that and we never intended to be.

15 But we simply want to be a way and a means
16 to put in a system that reduces peak load demand on aging
17 powerlines and grids.

18 And most of the systems and homeowners will
19 be 2 1/2, 3, 3kW, maybe 4 or 5 at the most. The largest
20 I've installed on a residence is 10kW. I know of others
21 that are larger but that's the largest I've done.

22 JUDGE WOODRUFF: So some homeowners could
23 install something larger than 10kW?

24 MR. RENTZ: It's real possible. It's real
25 possible that they could, and then the burden of the

1 insurance on them becomes almost prohibitive in a sense
2 since they can't -- they can't find it. There is just no
3 insurance there.

4 I think it really should start about 100kW,
5 to be totally honest. And when you get into commercial
6 applications anyway, the insurance is automatically there.

7 So it's not a requirement that needs to be
8 put in. It's just an automatic thing, commercial
9 insurance.

10 JUDGE WOODRUFF: And what you install is
11 solar electric?

12 MR. RENTZ: Solar and wind, yes.

13 JUDGE WOODRUFF: Okay.

14 CHAIRMAN CLAYTON: What is the price today
15 of per watt installed solar generating capacity?

16 MR. RENTZ: Well, we've been seeing prices
17 fall in the last -- in the last few months. Right now
18 we're able to install for around \$9.50 a watt, as opposed
19 to \$10 a watt in the past.

20 CHAIRMAN CLAYTON: And is that pretax
21 dollars -- or pretax credit dollars?

22 MR. RENTZ: That's correct.

23 CHAIRMAN CLAYTON: That's correct. Okay.

24 So, I mean, it would be quite a bit of money
25 for a residence to put in a 10kW system, wouldn't it?

1 MR. RENTZ: Absolutely. You're looking at
2 about \$100,000.

3 If you look in terms of the investment
4 that's actually going into it, if the power company had to
5 make a certain investment to increase the potential of the
6 lines in order to supply the power, which is called
7 avoided cost, and I understand the service cost
8 availability needs to be there, and I understand the meter
9 charge and whatnot.

10 Because if you build a new home and you're
11 going to put a 10K system on it, the power company by law
12 still has to be able to provide you with that power.

13 But during peak load demand, when loads are
14 high, the system on a person's home or on a small business
15 would reduce the need of the power company having to put
16 power into it and reduce the load on the line; hence,
17 there is more power available for other people that don't
18 have it.

19 So it's more of a deterrent as far as the
20 peak load demand more than anything, I think, and it could
21 be used by the power companies to their advantage to
22 reduce the peak load demand.

23 CHAIRMAN CLAYTON: Are the interconnection
24 requirements different for a system that is either greater
25 or less than 10kW or are they the same standard?

1 MR. RENTZ: They are the same right now as
2 far as I know. I have yet to run into any problems making
3 an interconnection, even with the coops, municipalities or
4 with Ameren. They've been very -- very easy to work with.

5 They do -- they do have certain
6 requirements; and once you meet those requirements in
7 there and they feel assured that you are capable of
8 installing the systems, then they don't have a problem
9 with it.

10 But I think one of the biggest issues that I
11 see arising out of this ruling could be that anybody and
12 everybody could just go out and buy a system out of a box
13 and stick it on their house and not notify the utilities.

14 I think there needs to be notification.
15 That's why I'm in favor of the contracts. I'm also in
16 favor of certified installers putting the systems on and
17 the systems being inspected by AmerenUE or anybody else
18 that desires.

19 Any time a retail provider has you tied to
20 their grid, I believe they should have access to their
21 system at any time without notice if they feel like there
22 is a problem.

23 CHAIRMAN CLAYTON: Okay. So it's your
24 testimony you think there shouldn't be an insurance
25 requirement even on systems greater than 10kW?

1 Henry Rentz has just mentioned concerning the situation
2 with installers, in that I would second him that I think
3 100kW is a good breakpoint for where we would have a
4 mandated insurance requirement, because that's a
5 commercial system where there is -- you can list
6 additional insureds on an insurance policy, and that's
7 pretty much in the commercial range.

8 I can see small businesses and homes putting
9 on 25kW systems as a very likely thing. So I think the
10 insurance requirement needs to be tilted more towards
11 commercial systems.

12 As far as the costs per watt, obviously it's
13 \$9.50, is what Henry is saying for smaller systems; but as
14 you get into the larger systems, the costs will be
15 dropping down to 6 and \$7 a watt. So that's kind of
16 what's happening there.

17 As far as the language proposed here, again,
18 I take exception to the scare tactics, trying to have
19 someone sign a document acknowledging all of these risks
20 and things like that. I think it's just scare tactics for
21 people to not connect to the grid.

22 So I do object to that. In my written
23 comments I mention that. I would say that. So I think
24 those are the two main points that I would like to make,
25 and I'd be open to any questions.

1 the one you submitted today has a signature on it. The
2 one -- the one earlier --

3 MR. PROST: Oh.

4 MR. DOTTHEIM: That's why I wasn't quite
5 sure if it was the same. They're not literally
6 identical --

7 MR. PROST: Correct.

8 MR. DOTTHEIM: -- but it has the same
9 content?

10 MR. PROST: Yes. I submitted a signed
11 version today. The one I submitted on EFIS was not
12 signed, yes.

13 JUDGE WOODRUFF: All right

14 MR. DOTTHEIM: Thank you.

15 JUDGE WOODRUFF: The one that came in today
16 is in the record.

17 MR. PROST: Thank you.

18 JUDGE WOODRUFF: Is there anyone else here
19 who would like to make a comment?

20 MR. SWILLINGER: Hi. Eric Swillinger with
21 Missouri Solar Living.

22 I just want to notate that on Ameren's
23 application for grid tie systems, systems under 10kW have
24 a 30-day, I guess, approval process and then systems over
25 10kW is a 90-day approval period.

1 So with the application that is submitted
2 with the line diagrams and product information, they're
3 given more time to review the larger systems than they are
4 the smaller systems.

5 JUDGE WOODRUFF: Okay. And is that a
6 problem?

7 MR. SWILLINGER: No. I just wanted to make
8 it a record of -- that systems are approved -- are given a
9 lot longer the bigger they are --

10 JUDGE WOODRUFF: Okay.

11 MR. SWILLINGER: -- to be approved by a
12 utility company.

13 JUDGE WOODRUFF: All right.

14 Anyone else want to add any comments?

15 MR. RENTZ: I'd like to say one more thing,
16 Henry Rentz again.

17 I have worked pretty much hand in hand with
18 Ameren for the last five years on this and found them
19 very, very amiable to change. Even though it's
20 inevitable, they would probably prefer to do things a
21 little differently, but it's just the way it happened.

22 So when it comes to the engineer drawings
23 and stuff, we have to submit -- before we can install a
24 system, we have to submit an engineer's drawing, a
25 one-line drawing for their approval. So they have the

1 opportunity to review anything in there that they would
2 like to review.

3 And they've come back to me on a number of
4 occasions and said this drawing is too complicated. Can
5 you dumb it down a little bit? I don't mean dumb it down
6 in the sense of removing anything technical, but there
7 were too many connections in it and they saw it as too
8 good of a drawing, basically, not requiring that much of a
9 drawing.

10 So we've gone back in cases and redone
11 drawings for them on numerous cases. Every system is
12 studied by their engineer and approved long before it's
13 even installed.

14 So the requirement for insurance should come
15 up at that point. If they find an error in it or if they
16 find something that throws up a red flag, they have the
17 opportunity in the approval process to be able to address
18 that.

19 And I've never had a system yet in the 25 or
20 so that I've done that was turned down or refused by any
21 means by any of the utilities, simply because we provide
22 the proper drawings and we provide the expertise to
23 install the systems in a safe manner.

24 If they're installed in a safe manner, the
25 requirement for insurance shouldn't be there. I think

1 they should have the right, and I believe we do give them
2 the right in this law, to disconnect anyone who does not
3 have a contract or has not made an effort to get a
4 contract with them.

5 I think they have the right to protect
6 themselves or at least to inspect these systems and make
7 sure that they're installed properly.

8 The purpose of the insurance is just to
9 place liability on someone if there is a problem. Since
10 there has never been a problem, I don't see it as an
11 issue, even though they have ample time to review this.
12 30 days, 90 days is more than enough time to review a set
13 of drawings.

14 We anticipate that time to be crunched on
15 them next year after -- after the Prop C takes effect. We
16 expect that to be a little more critical for them, and I
17 believe they're going -- they're going to meet the needs
18 just fine.

19 As long as we continue to do what we're
20 doing properly and the industry is built properly and the
21 people that are supposed to be installing these systems
22 are doing them correctly and we can find a way to govern
23 that, which we're in the process of doing that right now,
24 in the process of forming an organization that will ensure
25 that through certifications and training.

1 So I think all of this goes hand in hand,
2 but the first part, the Easy Connection Act, was the first
3 step and Proposition C is the second step. The third step
4 is a green Missouri, a better Missouri, and an economic
5 development situation that will also increase education.
6 It will better our future all of the way around for
7 Missourians.

8 JUDGE WOODRUFF: All right. Thank you, sir.

9 I don't see anyone else wishing to comment,
10 so at this point we are adjourned.

11 Thank you all very much.

12 CHAIRMAN CLAYTON: Thank you very much,
13 Judge. Bye-bye.

14 WHEREUPON, the public hearing was concluded.

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CERTIFICATE OF REPORTER

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nor financially or otherwise interested in the outcome of

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