

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of KCP&L Greater Missouri Operations)
Company's Submission of Its 2015 Renewable) **File No. EO-2016-0281**
Energy Standard Compliance Report)

**STAFF REPORT ON KCP&L GREATER MISSOURI OPERATIONS COMPANY'S
2015 RENEWABLE ENERGY STANDARD COMPLIANCE REPORT
AND RESPONSE TO REQUEST FOR WAIVER**

COMES NOW the Staff of the Missouri Public Service Commission, by and through undersigned counsel, and submits its *Staff Report On KCP&L Greater Missouri Operations Company's 2015 Renewable Energy Standard Compliance Report and Response To Request For Waiver* to the Missouri Public Service Commission (Commission). In further support, Staff states:

1. On April 15, 2016, KCP&L Greater Missouri Operations Company ("GMO" or "Company") filed its 2015 Renewable Energy Standard (RES) Compliance Report (2015 RES Compliance Report) for calendar year 2015 as required by rule.¹

2. Commission rule 4 CSR 240-20.100(8) states:

...Each electric utility shall file an RES compliance report no later than April 15 to report on the status of both its compliance with the RES [renewable energy standard] and its compliance plan as described in this section for the most recently completed calendar year...

3. Rule 4 CSR 240-20.100(8)(A) specifies what information the utility must provide in its annual RES Compliance Report.

4. Rule 4 CSR 240-20.100(8)(D) provides that:

The staff of the commission shall examine each electric utility's annual RES compliance report and RES compliance plan and

¹ That same day GMO also filed its 2016 Renewable Energy Standard Compliance Plan for calendar years 2016 – 2018 in docket EO-2016-0283.

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.

5. On April 19, 2016, the Commission issued its *Order Directing Notice And Setting Filing Deadline*, directing the Staff to file a report of its review of the Company's 2015 Compliance Report no later than May 30, 2016, forty-one (41) days from the Company's filing.

6. Staff has conducted its review of GMO's 2015 RES Compliance Report and has identified no deficiencies. Staff's report is contained in its *Memorandum*, attached hereto as Attachment A and incorporated herein.

7. In its April 15th Request For Waiver GMO seeks a limited waiver from Commission rule 4 CSR 240-20.100(7)(A)1.I.(V) which requires "All meter readings used for calculation of the payments referenced in part (IV) of this paragraph..." for renewable energy credits (RECs) purchased from a renewable energy resource not owned by the Company. GMO states that good cause exists for the granting of this waiver because the meter reading information is not provided by the vendors from which the Company purchases RECs.² In past RES compliance report Case Nos. EO-2014-0289 (KCP&L) and EO-2014-0290 (GMO) the Company applied for, and Staff recommended granting, a similar limited waiver which the Commission granted on August 25, 2014 in both previous cases.

8. The rule from which the Company seeks a limited waiver was revised and became effective on November 1, 2015. As a part of that rule revision the language in

² The Company states that it is providing the invoice information requested by Staff and indicated that it will continue to do so.

subparagraph 4 CSR 240-20.100(7)(A)1.I.(V) was restated in subparagraph 4 CSR 240-20.100(8)(A)1.I.(V). On May 4, 2016 the Company filed its *Errata To Renewable Energy Standard Compliance Report And Request For Waiver* correcting its April 15th filing to reflect the current rule 4 CSR 240-20.100(8)(A)1.I.(V). Therefore, Staff will treat the Company's request for limited waiver as a request for waiver of 4 CSR 240-20.100(8)(A)1.I.(V). Under 4 CSR 240-20.100(10) the Commission has the discretion to grant a waiver or variance to a provision of the renewable energy standard rule upon a showing of good cause.³ For the same reasons discussed above in paragraph 7, Staff is of the opinion that good cause exists for this limited waiver and recommends the Commission grant the Company a waiver to Commission rule 4 CSR 240-20.100(8)(A)1.I.(V).

9. Staff notes the Commission has granted intervention in this matter to Missouri Department of Economic Development – Division of Energy, Earth Island Institute d/b/a Renew Missouri, and United for Missouri, Inc.

10. The Staff is unaware of any other case currently pending before the Commission that will affect or be affected by a decision in this file other than File No. EO-2016-0283 opened by GMO when it filed its 2016 – 2018 RES Compliance Plan.

WHEREFORE, the Staff submits its report for the Commission's information and consideration regarding GMO's 2015 RES Compliance Report and prays the Commission grant GMO a waiver to Commission rule 4 CSR 240-20.100(8)(A)1.I.(V).

³ *American Family Ins. Co. v. Hilden*, 936 S.W.2d 207 (Mo. App. W.D. 1996).

Respectfully submitted,

/s/ Robert S. Berlin

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 27th day of May, 2016, to all counsel of record.

/s/ Robert S. Berlin