

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Consideration of Adoption)	
Of the PURPA Section 111(d)(15) Interconnection)	Case No. EO-2006-0497
Standard as Required by Section 1251 of the)	
Energy Policy Act of 2005)	

RESPONSE TO ORDER DIRECTING FILING OF ADDITIONAL PLEADINGS BY
CONCERNED CITIZENS
OF PLATTE COUNTY, SIERRA CLUB, OZARK ENERGY SERVICES, MID-
MISSOURI PEACEWORKS AND HEARTLAND RENEWABLE ENERGY SOCIETY

Come now Concerned Citizens of Platte County (“CCPC”), Sierra Club, Ozark Energy Services, Mid-Missouri Peaceworks and Heartland Renewable Energy Society and in response to the Commission’s December 26, 2006 Order Directing Filing of Additional Pleadings state:

On Oct. 31, 2006, PSC Staff filed a “Motion to Open Rulemaking Docket” to deal in one proceeding with all the EAct 2005 standards. On Dec. 22, “Staff’s Updated Suggestions for Future Proceedings” pulled back from this recommendation and asked the Commission first to determine whether each case could be closed on the basis of prior state action.

Prior State Action

The only relevant prior state action was the enactment by the General Assembly of the Consumer Clean Energy Act, § 386.887.9, RSMo (2002) and the implementing regulation 4 CSR 240-20.065(6), which authorize interconnection for “net metering.” However, this is not “the standard concerned (or a comparable standard)” within the meaning of EAct 2005, § 1254(b)(3). KCPL has suggested that 4 CSR 240-20.060 is comparable, but that regulation covers only the very limited field of cogeneration. Empire District Electric concedes that Missouri’s “net metering” law and regulation do not constitute prior state action.

Unlike § 386.887.9 and 4 CSR 240-20.065(6), the PURPA standard applies whether or not net metering (or cogeneration) is offered or is sought by the customer.

The PURPA standard says that interconnection “shall be offered based upon” IEEE Standard 1547. § 386.887.7 mentions IEEE among other standard-setting agencies but is not based on IEEE 1547 to the exclusion of other standards.

The PURPA standard says: “agreements and procedures shall be established whereby the services offered shall promote current best practices of interconnection for distributed generation, including but not limited to practices stipulated in model codes adopted by associations of state regulatory agencies.” § 386.887 has no comparable provision.

Missouri has not acted on or otherwise considered the same or a comparable standard. Missouri offers interconnection in circumstances too limited to be considered comparable to the general reach of the federal standard. This is reflected in the rarity with which interconnection is sought by utility customers. This case should therefore proceed.

/s/Henry B. Robertson
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct PDF version of the foregoing was sent by email on this 9th day of February, 2007, to the persons on the EFIS service list.

/s/Henry B. Robertson
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