

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

Earth Island Institute d/b/a)	
Renew Missouri, et al.)	
)	
Complainants,)	
)	
v.)	<u>File No. EC-2013-0380</u>
)	
KCP&L Greater Missouri Operations)	
Company)	
)	
Respondent.)	

NOTICE OF DISMISSAL OF CASE

COMES NOW, Earth Island Institute, d/b/a Renew Missouri (Renew Missouri), Missouri Coalition for the Environment (“MCE”), Missouri Solar Energy Industries Association (“MOSEIA”), Wind on the Wires, StraightUp Solar, Missouri Solar Applications, LLC, and The Alternative Energy Company, LLC (collectively “Complainants”), by and through counsel, and for their Notice of Dismissal of Case state as follows::

1. On January 30, 2013, Complainants filed with the Missouri Public Service Commission (the Commission) their Formal Complaint against Respondent KCP&L Greater Missouri Operations Company (“GMO”) alleging failure to comply with Commission rule 4 CSR 240-20.100(7)(B)1, which requires utilities to include a detailed explanation of their 1% retail rate impact limit calculation in their annual RES compliance plans.
2. On October 3, 2013, the parties in case no. ET-2014-0059 (concerning suspension of GMO’s solar rebate tariff) filed a Non-Unanimous Stipulation and Agreement, which addressed Complainants’ claims against GMO in this case. The parties agreed to the following terms in paragraph 7.f of the Stipulation and Agreement:

f. Renew Missouri agrees to dismiss its complaint cases filed against GMO and KCP&L pertaining to the disclosure of the one percent (1%) cap calculation in the 2012 RES Compliance Plan filing consolidated into File No. EC-2013-0379. In addition, GMO and KCP&L agree to perform the retail rate impact limit calculation annually, as provided in 4 CSR 240-20.100(5) in future annual RES compliance plans. GMO and KCP&L agree to include a detailed explanation of such calculation in their annual RES compliance plans, as provided in 4 CSR 240-20.100(7)(B)1f. GMO and KCP&L agree not to seek an exemption of this requirement under 4 CSR 240.20.100(5)(B). If the RES rules are changed, GMO and KCP&L will follow the new rules.

3. On October 30th, 2013, the Commission issued an order approving the Stipulation and Agreement offered by the parties to Case No. ET-2014-0059, including the above referenced terms. However, the Commission has not yet issued an order dismissing Case No. EC-2013-0380.

4. Rule 4 CSR 240-2.116(1) provides in relevant part as follows:

An Applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filling a notice of dismissal with the commission and serving a copy on all parties. Once evidence has been offered or prepared testimony filed, an applicant or complainant may dismiss an action only by leave of the commission, or by written consent of the adverse parties.

5. Testimony and oral evidence have been offered in this matter. Therefore, pursuant to Commission Rule 4 CSR 240-2.116 and based upon the settlement agreement, Renew Missouri requests leave of the commission to dismiss Case No. EC-2013-0380 in its entirety.

WHEREFORE, pursuant to Commission Rule 4 CSR 240-2.116, Renew Missouri submits this Notice of Dismissal of Case for the Commission's information and requests the Commission issue an order closing Case No. EC-2013-03780.

Respectfully Submitted,

/s/ Andrew J. Linhares

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ATTORNEY FOR COMPLAINANTS

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been submitted via the Public Service Commission's Electronic Filing and Information System ("EFIS") and transmitted by electronic mail to all counsel of record this 1st day of November, 2013.

/s/ Andrew J. Linhares

Andrew J. Linhares