

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 PROPOSED QUESTIONS 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 August 17 Order Directing Filing answer the three proposed questions as follows.

**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 EPAct 2005, § 1254(b)(3).

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

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. This case should therefore proceed.

### **Consolidation**

This case should be consolidated with EO-2006-0493, Consideration of the Adoption of the 111(d)(11) Net Metering Standard. Interconnection to the utility grid is an essential prerequisite to net metering. Interconnection is currently covered by the “net metering” statute and rule. § 386.887.9; 4 CSR 240-20.065(6) and accompanying interconnection agreement. The interconnection standard of EPCRA § 1254, PURPA § 111(d)(15), means explicitly the provision of service to “an on-site generating facility on the consumer’s premises.”

The two standards are integrally related and would be more expeditiously considered and acted upon in one rulemaking (or other proceeding). They should therefore be considered in tandem.

### **Type of Proceeding**

We believe rulemaking is the best type of proceeding for implementing the interconnection standard. It would best result in uniform, nondiscriminatory and nonpreferential standards as required by PURPA.

Rate cases are not suited to consideration of the “agreements and procedures” for the promotion of best practices for interconnection that are required by the PURPA standard. These should be uniform across the state and are better established in a unitary proceeding like a rulemaking.

Workshops or collaboratives without the direct participation of the Commission are not

conducive to the “determination” by the “State regulatory authority” of the appropriateness of implementing the standard that is required by PURPA § 111(a)(16 U.S.C. § 2621(a)).

/s/Henry B. Robertson  
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Attorneys for Intervenors

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct PDF version of the foregoing was sent by email on this 15th day of September, 2006, to the persons on the EFIS service list.

/s/Henry B. Robertson  
Henry B. Robertson