

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 5<sup>th</sup> day of February, 2014.

In the Matter of Ameren Missouri's Application for Authorization to Suspend Payment of Solar Rebates ) ) ) File No. ET-2014-0085 ) Tariff No. YE-2014-0310

**ORDER REVISING VARIANCE AND APPROVING TARIFF**

Issue Date: February 5, 2014

Effective Date: February 15, 2014

On December 12, 2013, the Commission approved a tariff filed by Union Electric Company d/b/a Ameren Missouri to modifying its solar rebate tariff to implement the stipulation and agreement the Commission approved on November 13. In the same order the Commission approved Ameren Missouri's request for certain variances to allow the company's reservation-style system for paying solar rebates to comply with the Commission's rules. The Commission's December 12 order became effective on December 22.

On December 20, Ameren Missouri filed a timely application for rehearing regarding the December 12 order. Ameren Missouri explains that the variance the Commission granted should be broadened in three circumstances to completely implement a queue system for paying rebates. First, Ameren Missouri sought a variance from the requirement of subsection 4 CSR 240-20.100(4)(K) that would require the company to make a rebate offer within 30 days of receipt of a solar rebate application. Under the queue system, when the entire available rebate pool is fully subscribed, Ameren Missouri will be able to make a rebate offer to the next applicant in line only when a previous applicant has dropped out of line. That might be more than 30 days after the application was filed, so Ameren Missouri requested a

variance from that requirement. Second, subsection 4 CSR 240-20.100(4)(K) provides that applications expire six months after the customer's acceptance of the rebate offer unless the customer demonstrates substantial project progress. Because, as explained above, the company may not send out a rebate offer within 30 days, Ameren Missouri contended the six-month period should begin with the qualification date. Third, subsection 4 CSR 240-20.100(4)(K) states that an application expires if the solar system is not operational within one year from the rebate offer. As before, Ameren Missouri contended this date should be based on the qualification date rather than the rebate offer date.

On January 3, 2014, Staff responded to Ameren Missouri's application for rehearing. Staff agreed with the first part of Ameren Missouri's request for additional waivers, but argued that the second and third part of that request is unnecessary. Instead, Staff recommended that the Commission order Ameren Missouri to modify its tariff to replace the words "Qualification Date" to clarify measurement of the date when customer solar systems must be operational to qualify for payment of a rebate. The tariff modification would eliminate the need for the second and third portions of Ameren Missouri's variance request.

Ameren Missouri replied to Staff's response on January 27. The company agrees that the tariff modification proposed by Staff, slightly modified, would eliminate the need for the second and third portions of its variance request. Along with its reply, Ameren Missouri filed a revised tariff that will implement the change proposed by Staff. Ameren Missouri represents that Staff has reviewed the proposed tariff and does not oppose it.

Ameren Missouri's revised tariff carries a thirty-day effective date of February 26. However, as the rebate pool process is already underway, the company asks the Commission to approve the revised tariff to become effective no later than February 6.

For good cause shown, based on the recommendation of its Staff and Ameren Missouri's response to that recommendation, the Commission will grant the agreed upon additional variance. The Commission will also approve Ameren Missouri's tariff to be effective on an expedited basis. However, barring extraordinary circumstances, the Commission must allow at least ten days for interested parties to file a request for hearing.<sup>1</sup> Ameren Missouri explains that as the rebate pool process is already underway, it wants the correct version of the tariff governing that process to be in effect. The Commission agrees that is a desirable result, but finds that it is not an extraordinary circumstance that would justify making this order effective in less than ten days. For that reason, the Commission cannot make its order effective until February 15. The Commission will approve Ameren Missouri's tariff to be effective on that date.

**THE COMMISSION ORDERS THAT:**

1. Ameren Missouri is granted a variance from 4 CSR 240-20.100(4)(K) to allow it to send a rebate offer in response to a rebate application (1) within thirty days of the application when the rebate offer would not cause the \$91.9 million rebate pool limit to be exceeded, or (2) within thirty days of funds becoming available such that the rebate offer would not cause the \$91.9 million rebate pool limit to be exceeded, whichever occurs first.
2. Ameren Missouri's Tariff No. YE-2014-0310 is approved to become effective on February 15, 2014. The specific tariff sheets approved are:

**P.S.C. MO. No. 6**

2<sup>nd</sup> Revised Sheet No. 88.3, Cancelling 1<sup>st</sup> Revised Sheet No. 88.3  
2<sup>nd</sup> Revised Sheet No. 171.4, Cancelling 1<sup>st</sup> Revised Sheet No. 171.4

3. This order shall become effective on February 15, 2014.

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<sup>1</sup> *State ex rel. Office of Public Counsel v. Pub. Serv. Com'n*, 409 S.W.3d 522, 529 (Mo App. W.D. 2013).

4. This file shall close on February 16, 2014.

**BY THE COMMISSION**



A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

R. Kenney, Chm., Stoll, W. Kenney,  
and Hall, CC., concur.

Woodruff, Chief Regulatory Law Judge