



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

JEREMIAH W. (JAY) NIXON
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

October 13, 2006

FILED³

OCT 13 2006

Public Service Commission
Governor Hotel
200 Madison Street
Jefferson City, MO 65102

Missouri Public
Service Commission


RE: *In the Matter of the Consideration of Adoption of the PURPA:*
Section 111(d)(11), Case No. EO-2006-0493
Section 111(d)(12), Case No. EO-2006-0494
Section 111(d)(13), Case No. EO-2006-0495
Section 111(d)(15), Case No. EO-2006-0497

Dear Sir/Madam:

Enclosed for filing please find an original and 9 copies of the Department of Natural Resources' Response to Staff's Suggestions Regarding Future Proceedings in the above-styled cases. Please stamp "filed" on the extra copies for my files. Thank you.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General


SHELLEY A. WOODS
Assistant Attorney General

SAW:mg
Enclosure
c: Counsel of Record

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

FILED³
OCT 13 2006

Missouri Public
Service Commission

In the Matter of the Consideration of)	
Adoption of the PURPA Section 111(d)(13))	Case No. EO-2006-0495
Fossil Fuel Generation Efficiency Standard)	
as Required by Section 1251 of the)	
Energy Policy Act of 2005)	

**Department of Natural Resources' Response to Staff's Suggestions Regarding
Future Proceedings**

COMES NOW, the Missouri Department of Natural Resources and respectfully states as follows:

On September 29, 2006, Staff of the Missouri Public Service Commission filed Staff's Suggestions Regarding Future Proceedings following the technical conference held among the parties on September 22, 2006. Pursuant to this Commission's Order, other parties may pleadings in response to this Staff filing by October 13, 2006. On September 29, 2006, Staff of the Missouri Public Service Commission filed Staff's Suggestions Regarding Future Proceedings following the technical conference held among the parties on September 22, 2006. Pursuant to this Commission's Order, other parties may pleadings in response to this Staff filing by October 13, 2006.

In its filing Staff stated its position that no prior state actions serve to exempt the Commission from considering and determining whether to adopt the Fossil Fuel Generation Efficiency Standard.

Staff recommends that the Fossil Fuel Generation Efficiency Standard and Fuel Sources Standard, Case No. EO-2006-0494, should both be considered in the context of an overall rulemaking to address 4 CSR 240-22, the Commission's Integrated Resource Planning rules. Staff suggests that an EX docket be opened for this purpose by January 1, 2007. Staff also recommends that the instant case remain open for an eventual Commission determination pending the results of the rulemaking docket.

The Department of Natural Resources agrees with Staff's recommendation that there are no prior state actions that exempt the Commission from considering and determining whether to adopt the Fossil Fuel Generation Efficiency Standard.

The department agrees with Staff's recommendation to open an EX docket for the purpose of considering the Fossil Fuel Generation Efficiency Standard and the Fuel Sources Standard in the context of an overall rulemaking to address 4 CSR 240-22.

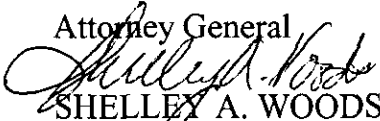
The department also supports Staff's recommendation to keep the instant case open for an eventual Commission determination on the EPA Act Fossil Fuel Generation Efficiency Standard that must be made by August 2008.

WHEREFORE, the Department of Natural Resources respectfully submits its response to Staff's Suggestions regarding Future Proceedings

Respectfully submitted,

JEREMIAH W. (JAY) NIXON,

Attorney General



SHELLEY A. WOODS

Assistant Attorney General

MBE #33525

P. O. Box 899

Jefferson City, MO 65102

Telephone (573) 751-8795

TELEFAX No. (573) 751-8464

shelley.woods@ago.mo.gov

Attorneys for Missouri Department of
Natural Resources

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served by mailing a copy thereof, via U.S. Mail, this 13th day of October, 2006, to:

Steve Dottheim
Chief Deputy General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Lewis R. Mills, Jr.
Office of the Public Counsel
P.O. Box 2230
Jefferson City, MO 65102

Thomas Byrne
1901 Chouteau Avenue
P.O. Box 66149 (MC 1310)
St. Louis, MO 63166-6149

Kathleen Henry
Henry Robertson
705 Olive Street, Suite 614
St. Louis, MO 63101

Diana Vuysteke
211 North Broadway, Suite 3600
St. Louis, MO 63102

Dennis Frey
Senior Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

James Lowery
David Kurtz
111 South Ninth Street, Suite 200
P.O. Box 918
Columbia, MO 65202-0918

Russell Mitten
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Curtis Blanc
1201 Walnut, 20th Floor
Kansas City, MO 64106

David Woodsmall
428 East Capitol Avenue, Suite 300
Jefferson City, MO 65102

A handwritten signature in cursive script, appearing to read "Shelley A. Woods", is positioned above a horizontal line.

Shelley A. Woods
Assistant Attorney General