

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of the Consideration of Adoption     )  
of the PURPA Section 111(d)(13) Fossil Fuel     )  
Generation Efficiency Standard as Required by     )  
Section 1251 of the Energy Policy Act of 2005     )

**Case No. EO-2006-0495**

### **ORDER GRANTING LEAVE TO FILE OUT OF TIME**

Issue Date: September 21, 2006

Effective Date: September 21, 2006

On June 22, 2006,<sup>1</sup> the Staff of the Missouri Public Service Commission filed a motion requesting that the Commission establish a case, provide notice, set an intervention deadline and schedule an early prehearing conference for the purpose of determining whether to adopt the Fossil Fuel Generation Efficiency Standard established in Section 1251 of the Energy Policy Act of 2005 ("EPA Act"). The Commission granted Staff's motion on June 23.

On August 17, the Commission issued an order directing filing of responses to a prepared list of questions from Staff no later than September 15. The deadline was set, per Staff's request, to give all parties adequate time to review the responses prior to the technical conference scheduled for September 22.

On September 20, the Office of the Public Counsel ("OPC") filed its response to the August 17 order, and filed a motion for leave to file its responses out of time. OPC states

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<sup>1</sup> All dates throughout this order shall refer to the year 2006 unless otherwise specified.

that it supports the positions take by other parties in response to the list of questions, and; consequently, no party will prejudiced by its delayed response.

The Commission finds OPC's motion to be reasonable and shall grant its motion to file responses out of time.

**IT IS ORDERED THAT:**

1. The Office of the Public Counsel's Motion for Leave to File Out of Time is sustained.
2. The Office of the Public Counsel's Response to the Commission's August 17, 2006 order is admitted.
3. This order shall become effective on September 21, 2006.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Harold Stearley, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 21st day of September, 2006.