

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

In the Matter of the Consideration of Adoption )  
of the PURPA **Section 111(d)(16)** Integrated )  
Resource Planning Standard as Required by ) **File No. EW-2009-0290**  
Section 532 of the Energy Independence and )  
Security Act of 2007. )

In the Matter of the Consideration of Adoption )  
of the PURPA **Section 111(d)(17)** Rate Design )  
Modifications to Promote Energy Efficiency ) **File No. EW-2009-0291**  
Investments Standard as Required by Section )  
532 of the Energy Independence and Security )  
Act of 2007. )

In the Matter of the Consideration of Adoption )  
of the PURPA **Section 111(d)(18)** Consideration )  
of Smart Grid Investments Standard as Required ) **File No. EW-2009-0292**  
by Section 1307 of the Energy Independence and )  
Security Act of 2007. )

In the Matter of the Consideration of Adoption )  
of the PURPA **Section 111(d)(19)** Smart Grid )  
Information Standard as Required by Section ) **File No. EW-2009-0293**  
1307 of the Energy Independence and Security )  
Act of 2007. )

**ORDER CONSOLIDATING WORKSHOPS, CONSOLIDATING CASES  
AND CORRECTING FILE CAPTIONING**

Issue Date: May 6, 2009

Effective Date: May 6, 2009

On December 15, 2008, the Staff of the Missouri Public Service Commission filed requests for the Commission to establish cases, provide notice, set intervention deadlines and schedule an early prehearing conference for the purpose of establishing records of consideration and determinations as to whether to adopt the following new standards encompassed within the Energy Independence and Security Act of 2007 ("EISA"):

**Integrated Resource Planning Standard -- Section 532 of EISA;**

**Rate Design Modifications to Promote Energy Efficiency Investments Standard** -- Section 532 of EISA;

**Consideration of Smart Grid Investments Standard** -- Section 1307 of EISA; and,

**Smart Grid Information Standard** -- Section 1307 of EISA.

The new EISA standards amend the Public Utilities Regulatory Policy Act of 1978 ("PURPA"). Pursuant to EISA, the Commission is required to commence consideration of this standard no later than December 19, 2008, and is further required to make a determination regarding acting upon the new standards no later than December 19, 2009.

On December 17, 2008, the Commission established the workshops. Since that time the Commission has had participants file responsive pleadings to suggest the proper schedule for the workshops, as well as addressing the substantive issue as to whether the prior state action exemption applied.

Based upon the Commission's review of the new standards, and the filings of the participants, the Commission has determined that the prior state action exemption does not apply to the new standards. The Commission further finds that it is appropriate to consider the new PURPA standards in conjunction with the current workshops scheduled for a review of the Commission's Integrated Resource Planning rules. Additionally, the Commission finds that Files numbers EW-2009-0292, Smart Grid Investments Standard, and EW-2009-0293, Smart Grid Information Standard, involve related issues of fact and law, and these two files will be consolidated pursuant to Commission Rule 4 CSR 240-2.110(3). Finally, Congress has corrected errors in numbering the new PURPA standards and the Smart Grid Investments Standard is now appropriately captioned Section 111(d)(18) and the Smart Grid Information Standard, is appropriately captioned Section

111(d)(19). The commission shall direct its Data Center to correct the captions in these two files.

**THE COMMISSION ORDERS THAT:**

1. File number EW-2009-0293 is hereby consolidated for all purposes with File number EW-2009-0292, and the style of the consolidated case shall be: “In the Matter of the Consideration of Adoption of PURPA **Section 111(d)(18)** Smart Grid Investments Standard and PURPA **Section 111(d)(19)** Smart Grid Information Standard, as Required by Section 1307 of the Energy Independence and Security Act of 2007.”

2. The Commission’s Data Center shall close File No. EW-2009-0293.

3. The Commission’s Data Center shall change the captions for file numbers EW-2009-0292 and EW-2009-0293 in the Commission’s Electronic Information and Filing System to reflect the appropriate PURPA Section number as directed in the body of this order.

4. The workshops for files numbers EW-2009-0290, EW-2009-0291, and EW-2009-0292 shall be consolidated with the current workshops schedules for the review of the Commission’s Integrated Resource Planning Rules. The current schedule for those workshops consists of three, two-day workshops: May 18-19, 2009; June 29-30, 2009, and a final session shall be schedule for late July or Early August of 2009.

5. No later than July 31, 2009, the Staff of the Missouri Public Service Commission shall file a report describing the progress of the workshops and a recommendation as to whether any of the PURPA files should be addressed in workshop settings separate from the Integrated Resource Planning Rules Workshops.

6. This order shall become effective immediately upon issue.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale  
Secretary

( S E A L )

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

Dated at Jefferson City, Missouri,  
on this 6th day of May, 2009.