

**HOUSE****AMENDMENT NO. \_\_\_\_****Offered by****of**

1 AMEND House Committee Substitute for Senate Bill No. 48, Page 16,  
 2 Section 393.1003, Line 25, by inserting after all of said line  
 3 the following:

4 "393.1400. Sections 393.1400 to 393.1445 shall be known as  
 5 the "Renewable Energy Act".

6 393.1405. As used in sections 393.1400 to 393.1445, the  
 7 following terms mean:

8 (1) "Commission", the public service commission;

9 (2) "Delivered energy", the energy from a renewable energy  
 10 resource that is owned by an electrical corporation or that an  
 11 electrical corporation has contracted to purchase for Missouri  
 12 customers;

13 (3) "Department", the department of natural resources;

14 (4) "Electric utility", any electrical corporation as  
 15 defined by section 386.020;

16 (5) "Levelized cost of energy", the present value of annual  
 17 costs of a renewable resource generator over the economic life  
 18 divided by the present value of the annual output of a renewable  
 19 resource generator over the economic life using the utility's  
 20 discount rate, including all costs of transmission or  
 21 distribution to get the energy into the utility's Missouri  
 22 service territory;

23 (6) "Megawatts", the gross nameplate rating of an  
 24 electrical generator producing electrical energy equal to one  
 25 thousand kilowatts;

26 (7) "Missouri revenues", the electric utility's revenues  
 27 from retail customers in Missouri as reported on its audited  
 28 financial statements for calendar year 2010;

29 (8) "Net-metered customers", customers of an electric

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1 utility that install, own, and operate up to one hundred  
2 kilowatts of their own electrical generation at their property,  
3 that have executed all agreements required by the electric  
4 utility for connection of their electrical generation to the  
5 electric utility's system, and that are in compliance with the  
6 terms of all such agreements;

7 (9) "New renewable generation", electrical generation from  
8 a renewable energy resource that became fully operational and  
9 used for service after November 4, 2008;

10 (10) "Professional forester", any individual who holds a  
11 bachelor of science degree in forestry from a society of American  
12 Foresters accredited college or university with a minimum of two  
13 years of professional management experience;

14 (11) "Renewable energy credit" or "REC", a trackable  
15 certificate of proof that one megawatt-hour of electricity has  
16 been generated from one or more renewable energy resources;

17 (12) "Renewable energy resources", the electricity derived  
18 from any of the following types of renewable energy resources or  
19 technologies:

20 (a) Wind;

21 (b) Solar thermal sources or solar photovoltaic cells and  
22 panels;

23 (c) Dedicated crops grown for energy production-herbaceous  
24 and woody crops that are harvested specifically for energy  
25 production in a sustainable manner;

26 (d) Cellulosic agricultural residues, which is organic  
27 matter remaining after the harvesting and processing of  
28 agricultural crops, which shall include:

29 a. Field residues, which are organic materials left on  
30 agricultural lands after the crops have been harvested, such as  
31 stalks, stubble, leaves, and seed pods; and

32 b. Process residues, which are organic materials left after  
33 the crops have been processed into a usable resource, such as  
34 husks, seeds, and roots;

35 (e) Plant residues, which are residues of plants that would  
36 be converted into energy, that otherwise would be waste material;

37 (f) Clean and untreated wood, which are nonhazardous wood

1 that has not been chemically treated with chemical preservatives  
2 which include the following:

3 a. Eligible clean and untreated wood, but is not  
4 necessarily limited to, the following sources:

5 (i) Forest-related resources, such as precommercial  
6 thinnings waste, slash (tree tops, branches, bark, or other  
7 residue left on the ground after logging or other forestry  
8 operations), brush, shrubs, stumps, lumber ends, trimmings, yard  
9 waste, dead and downed forest products, and small diameter forest  
10 thinnings (twelve inches in diameter or less);

11 (ii) Nonchemically treated wood and paper manufacturing  
12 waste, such as bark, trim slabs, scrap, shavings, sawdust, sander  
13 dust, and pulverized scraps;

14 (iii) Vegetation waste, such as landscape waste or  
15 right-of-way trimmings;

16 (iv) Wood chips, pellets, briquettes, wood wastes, or woody  
17 energy crops;

18 (v) Municipal solid waste, construction, and demolition  
19 waste, urban wood waste, and other similar sources, only if wood  
20 wastes are segregated from other solid wastes or inorganic  
21 wastes; and

22 (vi) Other miscellaneous waste, such as waste pellets,  
23 pallets, crates, scrap wood, tree debris left after a natural  
24 catastrophe, and recycled paper fibers that are no longer  
25 suitable for recycled paper production;

26 b. Ineligible clean and untreated wood, but is not  
27 necessarily limited to, the following sources:

28 (i) Post-consumer wastepaper;

29 (ii) Wood from old growth forests (one hundred fifty years  
30 old or older); and

31 (iii) Unsegregated solid waste;

32 (g) Methane from landfills or from wastewater treatment.

33 As used in this paragraph, "wastewater treatment" is defined as  
34 physical, chemical, biological, and mechanical procedures applied  
35 to an industrial or municipal discharge or to any other sources  
36 of contaminated water to remove, reduce, or neutralize  
37 contaminants;

1       (h) Hydropower, not including pumped storage, that does not  
2 require a new diversion or impoundment of water and that each  
3 generator has a nameplate rating of ten megawatts or less. If an  
4 improvement to an existing hydropower facility does not require a  
5 new diversion or impoundment of water and incrementally increases  
6 the nameplate rating of each generator, up to ten megawatts per  
7 generator, the improvement qualifies as an eligible renewable  
8 energy resource;

9       (i) Thermal depolymerization or pyrolysis for converting  
10 waste materials to energy;

11       (j) Fuel cells using hydrogen produced by renewable energy  
12 resources defined in this subdivision. RECs based on generating  
13 electricity in fuel cells from hydrogen derived from an eligible  
14 energy resource are eligible for compliance purposes only to the  
15 extent that the energy used to generate the hydrogen did not  
16 create RECs;

17       (k) Anaerobic digestion of farm animal waste; or

18       (l) Other sources of energy, not including nuclear, that  
19 become available after November 4, 2008, and are certified as  
20 eligible renewable energy resources as defined by the department  
21 in consultation with the commission;

22       (13) "Renewable energy standard" or "RES", the requirements  
23 established by sections 393.1400 to 393.1445;

24       (14) "The annual value of any renewable energy purchased or  
25 produced by the electric utility", the annual value of any  
26 renewable energy purchased or produced by the electric utility's  
27 renewable energy resources used for compliance with sections  
28 393.1400 to 393.1445 shall for each hour of the annual period be  
29 calculated by multiplying the energy produced from such resources  
30 in that hour by the actual wholesale price of energy in the  
31 electric utility's service territory as reflected by the regional  
32 transmission organization's real time hourly energy market prices  
33 within which the electric utility operates for that hour and  
34 totaling those products for the entire annual period. However,  
35 no such calculation or reduction shall be applied to dollars  
36 spent by utilities in meeting the requirement of sections  
37 393.1415 and 393.1420.

1       393.1410. 1. Electric utilities shall own new renewable  
2 generation providing delivered energy, or shall purchase  
3 delivered energy from new renewable generation, or a combination  
4 thereof, totaling no less than the following nameplate amounts by  
5 the following dates:

6       (1) For an electric utility with total retail Missouri  
7 revenues as of December 31, 2010, of \$2.3 billion dollars or  
8 more:

9       (a) By December 31, 2013: one hundred ten megawatts;

10       (b) By December 31, 2015: two hundred ten megawatts;

11       (c) By December 31, 2018: three hundred ten megawatts;

12       (d) By December 31, 2020: four hundred ten megawatts;

13       (2) For an electric utility with total retail Missouri  
14 revenues as of December 31, 2010, of at least \$730 million  
15 dollars but no more than \$2.29 billion dollars:

16       (a) By December 31, 2013: seventy megawatts;

17       (b) By December 31, 2015: one hundred seventy megawatts;

18       (c) By December 31, 2020: one hundred ninety-five  
19 megawatts;

20       (3) For an electric utility with total retail Missouri  
21 revenues as of December 31, 2010, of at least \$708 million  
22 dollars but no more than \$780 million dollars:

23       (a) By December 31, 2015: twenty megawatts;

24       (b) By December 31, 2018: one hundred twenty megawatts;

25       (c) By December 31, 2020: one hundred forty-five  
26 megawatts;

27       (4) An electric utility with total retail Missouri revenues  
28 as of December 31, 2010, of less than seven hundred eight million  
29 dollars that owns renewable generation providing delivered  
30 energy, or purchases delivered energy from renewable generation,  
31 or a combination thereof, totaling at least one hundred forty-  
32 five megawatts by December 31, 2011, shall not be required to  
33 provide additional renewable generation or purchase additional  
34 delivered energy to comply with this section.

35       2. Notwithstanding subsection 1 of this section, if the  
36 levelized cost of energy from the new renewable generation  
37 prescribed by subsection 1 of this section exceeds seventy

1 dollars per megawatt-hour adjusted annually for inflation  
2 according to the consumer price index, for each of the separate  
3 time periods in subsection 1 of this section, then the megawatts  
4 of new renewable generation prescribed for that time period by  
5 subsection 1 of this section shall be reduced by five percent for  
6 every dollar by which the levelized cost of energy exceeds  
7 seventy dollars per megawatt-hour adjusted annually for inflation  
8 according to the consumer price index.

9 3. Notwithstanding any provision of law to the contrary,  
10 the following limitations on rate impact shall apply:

11 (1) Notwithstanding any provision of the law to the  
12 contrary, the annual net cost during any calendar year to any  
13 billing account that experienced a billing demand of five  
14 thousand kilowatts or more during the preceding calendar year,  
15 and to any interstate pipeline pumping station regardless of  
16 size, shall not be more than one percent higher than the cost  
17 would have been without the renewable energy mandates set forth  
18 in sections 393.1400 to 393.1445, where such impact is measured  
19 in accordance with subsection 5 of this section;

20 (2) In addition, the one percent limitation shall apply to  
21 any other billing account of an entity qualifying under  
22 subdivision (1) of this subsection where that account consumed  
23 five million kilowatt-hours or more during the preceding calendar  
24 year, and also to any billing account consuming more than five  
25 million kilowatt-hours per year that belongs to a parent,  
26 subsidiary, or affiliate of the entity responsible for paying the  
27 billings for the account qualifying in subdivision (1) of this  
28 subsection;

29 (3) To qualify for the limitation in subdivision (2) of  
30 this subsection, the entity responsible for the billing account  
31 shall establish the existence of the required corporate  
32 relationship to the satisfaction of the electric utility.

33 4. In addition, the net cost during any calendar year to  
34 any billing account as measured in accordance with subsection 5  
35 of this section, of a utility's compliance with the renewable  
36 mandate shall not exceed one hundred thousand dollars.

37 5. For the purpose of applying subsection 4 of this

1 section, the annual net cost to any retail customer, of a  
2 utility's compliance with the renewable mandates shall be  
3 determined on an annual basis by computing that customer's share  
4 of an electric utility's annual net costs to comply with the  
5 renewable mandates as follows and limiting that share to one  
6 hundred thousand dollars per year:

7 (1) The following costs shall be added:

8 (a) Annual costs associated with owning, operating, and  
9 maintaining renewable energy resources used for compliance with  
10 sections 393.1400 to 393.1445;

11 (b) Annual costs of purchased RECs;

12 (c) Annual cost of solar rebates;

13 (d) Annual renewable energy purchases utilized for  
14 compliance with sections 393.1400 to 393.1445;

15 (e) Annual administrative and general costs related to  
16 compliance with sections 393.1400 to 393.1445; and

17 (f) Additional operating costs incurred to integrate a  
18 renewable energy resource due to its intermittent operating  
19 characteristics;

20 (2) The annual value of any renewable energy purchased or  
21 produced by the electric utility's renewable energy resources  
22 used for compliance with sections 393.1400 to 393.1445 (excluding  
23 sections 393.1415 and 393.1420) shall be subtracted from the sum  
24 of paragraphs (a) to (f) of subdivision (1) of this subsection.

25  
26 Furthermore, for the purpose of applying subsection 3 of this  
27 section, the increased cost to the class defined therein shall be  
28 determined on an annual basis by taking its share of an electric  
29 utility's cost of compliance with the renewable mandates  
30 determined as follows and limiting it to one percent:

31 (3) The following costs shall be added:

32 (a) Annual costs associated with owning, operating, and  
33 maintaining renewable energy resources used for compliance with  
34 sections 393.1400 to 393.1445;

35 (b) Annual costs of purchased RECs;

36 (c) Annual cost of solar rebates;

37 (d) Annual renewable energy purchases utilized for

1 compliance with sections 393.1400 to 393.1445;

2 (e) Annual administrative and general costs related to  
3 compliance with sections 393.1400 to 393.1445; and

4 (f) Additional operating costs incurred to integrate a  
5 renewable energy resource due to its intermittent operating  
6 characteristics;

7 (4) The annual value of any renewable energy purchased or  
8 produced by the electric utility's renewable energy resources  
9 used for compliance with sections 393.1400 to 393.1445 (excluding  
10 sections 393.1415 and 393.1420) shall be subtracted from the sum  
11 of paragraphs (a) to (f) of subdivision (3) of this subsection.

12 6. An electric utility shall pay penalties of two thousand  
13 dollars per day for failure to meet the nameplate amounts  
14 specified in subsection 1 of this section. Any such monetary  
15 fine shall be distributed to the public schools under section 7,  
16 article IX of the Constitution of Missouri. An electric utility  
17 shall be excused from this subsection if it proves to the  
18 commission that failure was due to events beyond its reasonable  
19 control that could not have been reasonably mitigated.

20 7. The exclusive title and ownership of all RECs associated  
21 with the new renewable generation owned by an electric utility,  
22 or to which an electric utility has rights, associated with the  
23 generation referenced in this section shall be vested in the  
24 electric utility.

25 8. In the event the federal government enacts by statute  
26 and/or rule any provision or regulatory scheme that establishes  
27 requirements for electric utilities to generate or purchase  
28 electricity generated from renewable or clean energy resources  
29 that is stricter than the provisions of this section, such  
30 federal requirements shall supercede and take precedence over the  
31 requirements as set forth in this section and shall accordingly  
32 be deemed to preempt the provisions of this section and any  
33 portfolio requirement rules prescribed by the commission under  
34 subsection 1 of this section.

35 9. For purposes of subsection 3 of this section, the  
36 electric utility shall make a good faith effort to adjust its  
37 billings to comply with the rate impact limitations in



1 subsections 3 and 4 of this section. Within ninety days of the  
2 end of each calendar year, the electric utility shall calculate  
3 the actual rate impact and reimburse any excess collection by  
4 means of a bill credit, which credit is subject to subsection 1  
5 of section 393.1430.

6 10. Any new renewable generation within the state of  
7 Missouri shall be given a ten percent credit for purposes of  
8 compliance with sections 393.1400 to 393.1445.

9 11. (1) No renewable energy generator using woody biomass  
10 in Missouri as fuel shall be certified unless it converts the  
11 energy content of the wood or wood residue into electrical energy  
12 with an efficiency of at least thirty percent.

13 (2) Any harvesting of woody biomass in Missouri shall  
14 comply with the Missouri department of conservation's Missouri  
15 woody biomass in Missouri harvesting best management practices  
16 manual, as it may be updated from time-to-time or replaced.

17 (3) Harvest of woody biomass in Missouri shall be conducted  
18 to a site specific harvest plan prepared as part of a forest  
19 management plan for long-term forest sustainability developed by  
20 a professional forester.

21 (4) Compliance with subdivisions (2) and (3) of this  
22 subsection shall be verified by third-party, professional  
23 foresters at the harvest site using a specified sampling  
24 intensity and under standards prescribed by the Missouri  
25 department of conservation.

26 393.1415. 1. An electric utility shall provide financial  
27 incentives, of the following amounts, as follows:

28 (1) An electric utility with Missouri revenues of \$2.3  
29 billion dollars or more shall, subject to the per-customer limits  
30 specified in subsection 3 of this section, provide:

31 (a) Thirteen million dollars annually in each of calendar  
32 years 2012 and 2013 to its net-metered customers that install up  
33 to one hundred kilowatts of solar generation that becomes fully  
34 operational on or after January 1, 2012, and on or before  
35 December 31, 2013;

36 (b) Seven million dollars annually in each of calendar  
37 years 2014, 2015, 2016, and 2017 to its net-metered customers

1 that install up to one hundred kilowatts of solar generation that  
2 becomes fully operational on or after January 1, 2014, and on or  
3 before December 31, 2017;

4 (c) Two million dollars annually in each of calendar years  
5 2018, 2019, and 2020 to its net-metered customers that install up  
6 to one hundred kilowatts of solar generation that becomes fully  
7 operational on or after January 1, 2018, and on or before  
8 December 31, 2020;

9 (2) An electric utility with Missouri revenues of at least  
10 \$730 million dollars but no more than \$2.29 billion dollars  
11 shall, subject to the per-customer limits specified in subsection  
12 3 of this section, provide:

13 (a) Two and one-half million dollars annually in each of  
14 calendar years 2012 and 2013 to its net-metered customers that  
15 install up to one hundred kilowatts of solar generation that  
16 becomes fully operational on or after January 1, 2012, and on or  
17 before December 31, 2013;

18 (b) Two and one-quarter million dollars annually in each of  
19 calendar years 2014, 2015, 2016, and 2017 to its net-metered  
20 customers that install up to one hundred kilowatts of solar  
21 generation that becomes fully operational on or after January 1,  
22 2014, and on or before December 31, 2017;

23 (c) One and one-half million dollars annually in each of  
24 calendar years 2018, 2019, and 2020 to its net-metered customers  
25 that install up to one hundred kilowatts of solar generation that  
26 becomes fully operational on or after January 1, 2018, and on or  
27 before December 31, 2020;

28 (3) An electric utility with Missouri revenues of at least  
29 \$708 million dollars but no more than \$780 million dollars shall,  
30 subject to the per-customer limits specified in subsection 3 of  
31 this section, provide:

32 (a) Two and one-half million dollars annually in each of  
33 calendar years 2012 and 2013 to its net-metered customers that  
34 install up to one hundred kilowatts of solar generation that  
35 becomes fully operational on or after January 1, 2012, and on or  
36 before December 31, 2013;

37 (b) Two and one-quarter million dollars annually in each of

1 calendar years 2014, 2015, 2016, and 2017 to its net-metered  
2 customers that install up to one hundred kilowatts of solar  
3 generation that becomes fully operational on or after January 1,  
4 2014, and on or before December 31, 2017;

5 (c) One and one-half million dollars annually in each of  
6 calendar years 2018, 2019, and 2020 to its net-metered customers  
7 that install up to one hundred kilowatts of solar generation that  
8 becomes fully operational on or after January 1, 2018, and on or  
9 before December 31, 2020;

10 (4) An electric utility with Missouri revenues of at least  
11 \$350 million dollars but no more than \$649 million dollars shall,  
12 subject to the per-customer limits specified in subsection 3 of  
13 this section, provide:

14 (a) One and one-half million dollars annually in each of  
15 calendar years 2012 and 2013 to its net-metered customers that  
16 install up to one hundred kilowatts of solar generation that  
17 becomes fully operational on or after January 1, 2012, and on or  
18 before December 31, 2013;

19 (b) One million dollars annually in each of calendar years  
20 2014, 2015, 2016, and 2017 to its net-metered customers that  
21 install up to one hundred kilowatts of solar generation that  
22 becomes fully operational on or after January 1, 2014, and on or  
23 before December 31, 2017;

24 (c) Five hundred thousand dollars annually in each of  
25 calendar years 2018, 2019, and 2020 to its net-metered customers  
26 that install up to one hundred kilowatts of solar generation that  
27 becomes fully operational on or after January 1, 2018, and on or  
28 before December 31, 2020.

29 2. The financial incentive amounts prescribed by subsection  
30 1 of this section shall at the discretion of the utility be  
31 treated as part of the electric utility's net capital investments  
32 in renewable energy resources for purposes of determining the  
33 appropriate RES rate under sections 393.1425 to 393.1443..

34 3. A net-metered customer shall be eligible for a financial  
35 incentive investment of three dollars per watt for the first  
36 twenty-five kilowatts of solar generation installed, and two  
37 dollars per watt for the next additional twenty-five kilowatts of

1 solar generation installed for a maximum incentive not to exceed  
2 fifty kilowatts. Notwithstanding the foregoing provisions of  
3 this subsection, no customer shall receive a total financial  
4 incentive payment that exceeds sixty percent of the total  
5 installed cost of the customer's solar generation in years 2012  
6 to 2013, fifty percent in years 2014 to 2017, forty percent in  
7 years 2018 to 2020, and no financial incentive payments shall be  
8 made until the customer has provided documentation approved by  
9 the electric utility establishing the total installed cost. To  
10 further ensure that all such installations provide the optimal  
11 electrical output, the commission shall establish terms and  
12 conditions so that such installations meet the requirements using  
13 established industry standards and practices.

14 4. An electric utility has no obligation to provide any  
15 additional financial incentive investments in a calendar year  
16 once the annual amount for that calendar year and any excess  
17 amount not otherwise provided to net-metered customers in any  
18 prior year as specified in subsection 1 of this section is  
19 exhausted. Financial incentive investment amounts not exhausted  
20 in a prior calendar year shall carry over to subsequent calendar  
21 years but no amounts shall be carried forward beyond December 31,  
22 2021.

23 5. By accepting the terms and conditions established by the  
24 electric utility for eligibility and in conjunction with all net-  
25 metering requirements, financial incentives provided by  
26 subsection 3 of this section:

27 (1) For all systems, the net-metering customer agrees that  
28 the electric utility providing the financial incentive shall have  
29 and possess all right, title, and interest in and to all RECs  
30 generated up to a maximum of fifty kilowatts by the solar  
31 generation for which financial incentives were paid for a period  
32 of ten years after the solar generation became fully operational;  
33 provided, that thereafter, any such RECs shall belong to the net-  
34 metering customer owning the generation; and

35 (2) The net-metering customer installing a system of ten  
36 kilowatts or more agrees to install, at the customer's expense, a  
37 separate utility meter to measure the output from the customer's

1 system.

2 6. Each electric utility shall make available to its retail  
3 customers a standard rebate offer of at least three dollars per  
4 installed watt for new or expanded solar electric systems sited  
5 on customers' premises, up to a maximum of twenty-five kilowatts  
6 per system, that become operational after August 28, 2011, and  
7 prior to January 1, 2012. All such amounts paid by an electric  
8 utility to a customer under this subsection shall be applied  
9 against the annual amount of financial incentive investments for  
10 calendar year 2012 as specified in subsection 1 of this section.

11 393.1420. 1. In addition to the requirements of subsection  
12 1 of section 393.1415, an electric utility with revenues of \$2.3  
13 billion dollars or more shall provide up to a maximum of five  
14 hundred thousand dollars annually in each of calendar years 2012,  
15 2013, and 2014 to its net-metered customers that install nonsolar  
16 renewable energy resources of up to one hundred kilowatts that  
17 become fully operational within each respective calendar year.

18 2. The financial incentive amounts prescribed by subsection  
19 1 of this section shall be expensed by the electric utility in  
20 the year in which they are paid.

21 3. A net-metered customer shall be eligible for a financial  
22 incentive of one dollar per watt for nonsolar renewable energy  
23 resources installed in 2012, 2013, or 2014 not to exceed one  
24 hundred kilowatts. Notwithstanding the foregoing provisions of  
25 this subsection, no customer shall receive a total financial  
26 incentive payment that exceeds forty percent of the total  
27 installed cost of the customer's new renewable generation, and no  
28 financial incentive payments shall be made until the customer has  
29 provided documentation approved by the electric utility  
30 establishing the total installed cost.

31 4. An electric utility has no obligation to provide any  
32 additional financial incentive investments in a calendar year  
33 once the annual amount for that calendar year and any excess  
34 amount not otherwise provided to net-metered customers in any  
35 prior year as specified in subsection 3 of this section is  
36 exhausted. Financial incentive amounts not exhausted in a prior  
37 calendar year shall carry over to subsequent calendar years but

1 no amounts shall be carried forward beyond December 31, 2015.

2 5. By accepting the financial incentives provided by this  
3 section the net-metering customer installing a system of ten  
4 kilowatts or more agrees to install, at the customer's expense, a  
5 separate meter to measure the output from the customer's system.

6 393.1425. 1. As used in sections 393.1410 and 393.1425 to  
7 393.1435, the following words and phrases mean:

8 (1) "Accumulation period", a period no greater than twelve  
9 months preceding a filing to establish or change the RES during  
10 which the RES expenses used in the filing are accumulated for  
11 recovery through the RES tariff;

12 (2) "RES capital costs", the depreciation expense and  
13 property taxes of the electric utility that are associated with  
14 the electric utility's capital investments in renewable energy  
15 resources that provide delivered energy, including capital  
16 investments made in compliance with section 393.1410 and capital  
17 investments made to comply with renewable energy standards in  
18 effect prior to the effective date of sections 393.1400 to  
19 393.1445;

20 (3) "RES costs", the sum of:

21 (a) RES expenses;

22 (b) RES capital costs; and

23 (c) RES return applicable to a filing to establish or  
24 change an RES rate, less;

25 (d) The annual value of any renewable energy purchased or  
26 produced by the electric utility;

27 (4) "RES cost recovery mechanism" or "RCRM", the mechanism  
28 approved by the commission to allow an electric utility to  
29 recover all costs of compliance with the RES;

30 (5) "RES expenses", the sum of:

31 (a) The electric utility's accumulation period costs of  
32 obtaining delivered energy from renewable energy resources under  
33 contracts entered into on or after January 1, 2011, and the  
34 financial incentives paid and expensed by the electric utility  
35 during the accumulation period under sections 393.1415 and  
36 393.1420; and

37 (b) The electric utility's unrecovered costs incurred on or

1 after November 4, 2008, through the end of the accumulation  
2 period relating to its compliance with renewable energy standards  
3 in effect prior to the effective date of sections 393.1400 to  
4 393.1445, including, but not limited to, its administrative  
5 costs, which include but are not limited to the cost to register,  
6 retire, or close out any account RECs with the North American  
7 Renewable Registry; the costs of solar rebates; the costs of  
8 solar RECs, whether acquired through a contract with the electric  
9 utility's customers or from third parties to meet the solar  
10 requirements of the RES; and any other costs incurred by the  
11 electric utility to meet the requirements of the RES. Any RES  
12 expenses that were previously included in the electric utility's  
13 rates shall be excluded;

14 (6) "RES rate", a rate approved by the commission for  
15 recovery of RES costs;

16 (7) "RES return", the electric utility's weighted average  
17 cost of capital multiplied by: the electric utility's net  
18 capital investments in renewable energy resources that provide  
19 delivered energy, including capital investments made to comply  
20 with renewable energy standards in effect prior to the effective  
21 date of sections 393.1400 to 393.1445, on the electric utility's  
22 books as of the end of the accumulation period. The income taxes  
23 related to the RES return shall be included;

24 (8) "RES revenues", revenues produced through a RES rate  
25 exclusive of revenues from all other rates and charges.

26 2. All RES costs incurred under paragraph (a) or (b) of  
27 subdivision (5) of subsection 1 of this section, regardless of  
28 contract term, shall be recovered in the electric utility's RES  
29 rate. That is, where the electric utility enters into contracts  
30 under subsection 1 of section 393.1410 that extend beyond the  
31 indicated dates, then all RES costs as defined in this section  
32 shall be included in the RES rate.

33 393.1430. 1. Notwithstanding any provisions of this  
34 chapter and chapter 386 to the contrary, beginning August 28,  
35 2011, an electric utility may file a petition and proposed  
36 tariffs with the commission to establish a RCRM or to change a  
37 RES rate that will allow for the adjustment of the electric

1 utility's rates and charges to provide for full recovery of RES  
2 costs, including full recovery of any RES costs in excess of the  
3 rate impact caps in section 393.1410. A RES rate and any future  
4 changes thereto shall be calculated and implemented in accordance  
5 with the provisions of sections 393.1425 to 393.1435. RES  
6 revenues shall be subject to refund based upon a finding and  
7 order of the commission to the extent provided in subsections 5  
8 and 8 of section 393.1435.

9 2. The commission shall not approve a RCRM or a RES rate  
10 for any electric utility that has not had a general rate  
11 proceeding decided or dismissed by issuance of a commission order  
12 within the past five years, unless the electric utility has filed  
13 for or is the subject of a new general rate proceeding.

14 3. In no event shall an electric utility collect a RES rate  
15 or continue to use an approved RCRM for a period exceeding five  
16 years unless the electric utility has filed for or is the subject  
17 of a new general rate proceeding where the terms of the RCRM are  
18 reviewed by the commission; provided that a RES rate that is  
19 approved in accordance with section 393.1435 may be collected  
20 until the effective date of new rate schedules established as a  
21 result of the new general rate proceeding, or until the subject  
22 general rate proceeding is otherwise decided or dismissed by  
23 issuance of a commission order without new rates being  
24 established.

25 393.1435. 1. (1) At the time that an electric utility  
26 files a petition with the commission seeking to establish or  
27 change a RES rate, it shall submit proposed tariffs and its  
28 supporting documentation regarding the calculation of the  
29 proposed RES with the petition, and shall serve the office of the  
30 public counsel with a copy of its petition, its proposed RES rate  
31 tariff, and its supporting documentation.

32 (2) Upon the filing of a petition and any associated  
33 tariffs, seeking to establish or change a RES rate, the  
34 commission shall publish notice of the filing.

35 2. (1) When a petition, along with any associated proposed  
36 tariffs, is filed under the provisions of sections 393.1425 to  
37 393.1435, the staff of the commission shall conduct an



1 examination of the proposed RES rate.

2 (2) The staff of the commission may audit the information  
3 of the electric utility to confirm that the underlying RES costs  
4 are in accordance with the provisions of sections 393.1425 to  
5 393.1435, and to confirm proper calculation of the proposed RES  
6 rate, and may submit a report regarding its examination to the  
7 commission not later than sixty days after the petition is filed.  
8 No other revenue requirement or rate making issues may be  
9 examined in consideration of the petition or associated proposed  
10 RES rate filed under the provisions of sections 393.1425 to  
11 393.1435.

12 (3) The commission may hold a hearing on the petition and  
13 any proposed RES rate and shall issue an order to become  
14 effective not later than one hundred twenty days after the  
15 petition is filed.

16 (4) If the commission finds that a petition complies with  
17 the requirements of sections 393.1425 to 393.1435, the commission  
18 shall enter an order authorizing the electric utility to impose a  
19 RES rate that is sufficient to recover appropriate pretax  
20 revenue, as determined by the commission under the provisions of  
21 sections 393.1425 to 393.1435.

22 3. An electric utility may effectuate a change in its RES  
23 under the provisions of this section no more often than two times  
24 every twelve months.

25 4. In determining the appropriate RES rate, the commission  
26 shall consider only the following factors:

27 (1) The current state, federal, and local income tax or  
28 excise rates;

29 (2) The electric utility's actual regulatory capital  
30 structure as determined during the most recent general rate  
31 proceeding of the electric utility;

32 (3) The actual cost rates for the electric utility's debt  
33 and preferred stock as determined during the most recent general  
34 rate proceeding of the electric utility;

35 (4) The electric utility's cost of common equity as  
36 determined during the most recent general rate proceeding of the  
37 electric utility;

1       (5) The current property tax rate or rates applicable to  
2 the investments in renewable energy resources;

3       (6) The current depreciation rates applicable to the  
4 investments in renewable energy resources; and

5       (7) In the event information under subdivisions (2), (3),  
6 and (4) of this subsection are unavailable and the commission is  
7 not provided with such information as an agreed-upon basis, the  
8 commission shall refer to the testimony submitted during the most  
9 recent general rate proceeding of the electric utility and use,  
10 in lieu of any such unavailable information, the recommended  
11 capital structure, recommended cost rates for debt and preferred  
12 stock, and recommended cost of common equity that would produce  
13 the average weighted cost of capital based upon the various  
14 recommendations contained in such testimony.

15       5. (1) The monthly RES rate may be calculated based on a  
16 reasonable estimate of billing units in the period in which the  
17 charge will be in effect, which shall be conclusively established  
18 by dividing the appropriate RES revenues by the customer numbers  
19 reported by the electric utility in the annual report it most  
20 recently filed with the commission under subdivision (6) of  
21 section 393.140, and then further dividing this quotient by  
22 twelve; provided, however, that the monthly RES may vary  
23 according to customer class and may be calculated based on  
24 customer numbers as determined during the most recent general  
25 rate proceeding of the electric utility so long as the monthly  
26 RES revenue for each customer class maintains a proportional  
27 relationship equivalent to the proportional relationship of the  
28 monthly customer charge revenue for each customer class.

29       (2) At the end of each twelve-month calendar period the  
30 RCRM is in effect, the electric utility shall reconcile the  
31 differences between the RES revenues resulting from application  
32 of the RES rate and the appropriate RES revenues as found by the  
33 commission for that period and shall submit the reconciliation  
34 and a proposed RES rate adjustment to the commission for approval  
35 to recover or refund the difference, as appropriate, through  
36 adjustments to the RES.

37       6. (1) An electric utility that has implemented a RCRM

1 under the provisions of sections 393.1425 to 393.1435 shall file  
2 revised tariffs to reset the RES rate to zero when new base rates  
3 and charges become effective for the electric utility following a  
4 commission order establishing customer rates in a general rate  
5 proceeding that incorporates in the utility's base rates subject  
6 to subsections 8 and 9 of this section eligible costs previously  
7 reflected in a RES rate.

8 (2) Upon the inclusion in an electric utility's base rates  
9 subject to subsections 8 and 9 of this section of eligible costs  
10 previously reflected in a RES rate, the electric utility shall  
11 immediately thereafter reconcile any previously unreconciled RES  
12 revenues as necessary to ensure that revenues resulting from  
13 application of the RES rate match as closely as possible the  
14 appropriate RES revenues as found by the commission for that  
15 period.

16 7. An electric utility's filing of a petition or change to  
17 a RES rate under the provisions of sections 393.1425 to 393.1435  
18 shall not be considered a request for a general increase in the  
19 electric utility's base rates and charges.

20 8. Commission approval of a petition and any associated  
21 rate schedules to establish or change a RES rate under the  
22 provisions of sections 393.1425 to 393.1435 shall in no way be  
23 binding upon the commission in determining the rate making  
24 treatment to be applied to eligible RES costs during a subsequent  
25 general rate proceeding when the commission may undertake to  
26 review the prudence of such costs. In the event the commission  
27 disallows, during a subsequent general rate proceeding, recovery  
28 of any RES costs previously included in a RES rate, the electric  
29 utility shall change its RES rate in the future as necessary to  
30 recognize and account for any such over collections.

31 9. Nothing in this section shall be construed as limiting  
32 the authority of the commission to review and consider RES costs  
33 along with other costs during any general rate proceeding of any  
34 electric utility.

35 10. Nothing contained in sections 393.1425 to 393.1435  
36 shall be construed to impair in any way the authority of the  
37 commission to review the reasonableness of the rates or charges

1 of an electric utility, including review of the prudence of  
2 incurring RES costs, under the provisions of section 386.390.

3 11. Notwithstanding the terms of any fuel adjustment clause  
4 tariff approved for an electric utility under section 386.266,  
5 the cost of power purchased from a renewable energy resource  
6 shall constitute a RES expense as defined in subsection 2 of  
7 section 393.1425, and shall not constitute purchased power  
8 expense under any such fuel adjustment clause tariff.

9 12. The commission shall have the authority to promulgate  
10 rules for the implementation of sections 393.1425 to 393.1435,  
11 but only to the extent such rules are consistent with, and do not  
12 delay the implementation of, the provisions of sections 393.1425  
13 to 393.1435. Any rule or portion of a rule, as that term is  
14 defined in section 536.010, that is created under the authority  
15 delegated in this section shall become effective only if it  
16 complies with and is subject to all of the provisions of chapter  
17 536 and, if applicable, section 536.028. This section and  
18 chapter 536 are nonseverable and if any of the powers vested with  
19 the general assembly under chapter 536 to review, to delay the  
20 effective date, or to disapprove and annul a rule are  
21 subsequently held unconstitutional, then the grant of rulemaking  
22 authority and any rule proposed or adopted after August 28, 2011,  
23 shall be invalid and void.

24 13. Alternatively, an electric utility may recover RES  
25 compliance costs without use of the RES cost recovery mechanism,  
26 through rates established in a general rate proceeding. In the  
27 interim between general rate proceedings, the electric utility  
28 may defer the costs in a regulatory asset account, and monthly  
29 calculate a carrying charge on the balance in that regulatory  
30 asset account equal to its short-term cost of borrowing. All  
31 questions pertaining to rate recovery of the RES compliance costs  
32 in a subsequent general rate proceeding will be reserved to that  
33 proceeding, including the prudence of the costs for which rate  
34 recovery is sought and the period of time over which any costs  
35 allowed rate recovery will be amortized. Any rate recovery  
36 granted to RES compliance costs under this subsection shall be  
37 fully subject to the retail rate impact requirements of the RES.

1       393.1440. 1. Beginning October 1, 2011, for calendar year  
2 2012, and by June thirtieth of each succeeding calendar year, an  
3 electric utility shall provide a written compliance plan to the  
4 commission documenting the electric utility's plans for meeting  
5 the requirements of sections 393.1405 to 393.1420 for at least  
6 the following three calendar years. The compliance plan shall  
7 include the electric utility's plans regarding the types of  
8 renewable energy resources the electric utility intends to build  
9 or acquire, and the time frames associated therewith.

10       2. Beginning April 15, 2013, for calendar year 2012, and by  
11 April fifteenth of each succeeding calendar year, an electric  
12 utility shall provide a compliance report to the commission  
13 documenting the electric utility's progress in meeting the  
14 requirements of sections 393.1405 to 393.1420 for the preceding  
15 calendar year.

16       393.1443. Notwithstanding the Missouri Public Service  
17 Commissions Agreement and Order number EO-2005-0329, a utility  
18 shall recover its costs in accordance with sections 393.1400 to  
19 393.1440, and the Missouri Public Service Commission shall allow  
20 for such recovery under sections 393.1400 to 393.1440.

21       393.1445. For purposes of compliance with the requirements  
22 of sections 393.1405 to 393.1420, electric utilities owned by the  
23 same holding company and operated commonly may reallocate the  
24 commitments between the electric utilities at its discretion such  
25 that the overall commitment is maintained."; and

26       Further amend said bill, Page 19, Section 414.570, Line 36,  
27 by inserting after all of said line the following:

28       "620.2300. 1. As used in this section, the following terms  
29 shall mean:

30       (1) "Department", the Missouri department of economic  
31 development;

32       (2) "Biomass facility", a biomass renewable energy facility  
33 or biomass fuel production facility that will not be a major  
34 source for air quality permitting purposes;

35       (3) "Commission", the Missouri public service commission;

36       (4) "County average wage", the average wages in each county  
37 as determined by the department for the most recently completed

1 full calendar year. However, if the computed county average wage  
2 is above the statewide average wage, the statewide average wage  
3 shall be deemed the county average wage for such county for the  
4 purpose of determining eligibility. The department shall publish  
5 the county average wage for each county at least annually.

6 Notwithstanding the provisions of this subdivision to the  
7 contrary, for any project that is relocating employees from a  
8 Missouri county with a higher county average wage, the company  
9 shall obtain the endorsement of the governing body of the  
10 community from which jobs are being relocated or the county  
11 average wage for their project shall be the county average wage  
12 for the county from which the employees are being relocated;

13 (5) "Full-time employee", an employee of the project  
14 facility that is scheduled to work an average of at least  
15 thirty-five hours per week for a twelve-month period, and one for  
16 which the employer offers health insurance and pays at least  
17 fifty percent of such insurance premiums;

18 (6) "Major source", the same meaning as is provided under  
19 40 CFR 70.2;

20 (7) "New job", the number of full-time employees located at  
21 the project facility that exceeds the project facility base  
22 employment less any decrease in the number of full-time employees  
23 at related facilities below the related facility base employment.  
24 An employee that spends less than fifty percent of the employee's  
25 work time at the project facility is still considered to be  
26 located at a facility if the employee receives his or her  
27 directions and control from that facility, is on the facility's  
28 payroll, one hundred percent of the employee's income from such  
29 employment is Missouri income, and the employee is paid at or  
30 above the state average wage;

31 (8) "Park", an area consisting of a parcel or tract of  
32 land, or any combination of parcels or contiguous land that meet  
33 all of the following requirements:

34 (a) The area consists of at least fifty contiguous acres;

35 (b) The property within the area is subject to remediation  
36 under a clean up program supervised by the Missouri department of  
37 natural resources or United States Environmental Protection

1 Agency;

2 (c) The area contains a manufacturing facility that is  
3 closed, undergoing closure, idle, underutilized, or curtailed and  
4 that at one time employed at least two hundred employees;

5 (d) The development plan for the area includes a biomass  
6 facility; and

7 (e) Property located within the area will be used for the  
8 development of renewable energy and the demonstration of  
9 industrial on-site energy generation;

10 (9) "Project", a cleanfields renewable energy demonstration  
11 project located within a park that will result in the creation of  
12 at least fifty new jobs and the retention of at least fifty  
13 existing jobs;

14 (10) "Project application", an application submitted to the  
15 department, by an owner of all or a portion of a park, on a form  
16 provided by the department, requesting benefits provided under  
17 this section;

18 (11) "Project facility", a biomass facility at which the  
19 new jobs will be located. A project facility may include  
20 separate buildings that are located within fifty miles of each  
21 other or within the same county such that their purpose and  
22 operations are interrelated;

23 (12) "Project facility base employment", the greater of the  
24 number of full-time employees located at the project facility on  
25 the date of the project application or for the twelve-month  
26 period prior to the date of the project application, the average  
27 number of full-time employees located at the project facility.  
28 In the event the project facility has not been in operation for a  
29 full twelve-month period, the average number of full-time  
30 employees for the number of months the project facility has been  
31 in operation prior to the date of the project application.

32 2. The owner of a park seeking to establish a project shall  
33 submit a project application to the department for certification  
34 of such project. The department shall review all project  
35 applications received under this section and, in consultation  
36 with the department of natural resources, verify satisfaction of  
37 the requirements of this section. If the department approves a

1 project application, the department shall forward such  
2 application and approval to the commission.

3 3. Notwithstanding provisions of section 393.1030 to the  
4 contrary, upon receipt of an application and approval from the  
5 department, the commission shall assign twice credit to any  
6 electric power, renewable energy, renewable energy credits, or  
7 any successor credit generated from:

8 (1) Renewable energy resources purchased from the biomass  
9 facility located in the park by an electric power supplier;

10 (2) Electric power generated off-site by utilizing biomass  
11 fuel sold by the biomass facility located at the park; or

12 (3) Electric power generated off-site by renewable energy  
13 resources utilizing storage equipment manufactured at the park  
14 that increases the quantity of electricity delivered to the  
15 electric power supplier."; and

16 Further amend said bill, Page 19, Section 660.122, Line 21,  
17 by inserting after all of said line the following:

18 "[393.1020. Sections 393.1025 and 393.1030 shall  
19 be known as the "Renewable Energy Standard".]  
20

21 [393.1025. As used in sections 393.1020 to  
22 393.1030, the following terms mean:

23 (1) "Commission", the public service commission;

24 (2) "Department", the department of natural  
25 resources;

26 (3) "Electric utility", any electrical  
27 corporation as defined by section 386.020;

28 (4) "Renewable energy credit" or "REC", a  
29 tradeable certificate of proof that one megawatt-hour  
30 of electricity has been generated from renewable energy  
31 sources; and

32 (5) "Renewable energy resources", electric energy  
33 produced from wind, solar thermal sources, photovoltaic  
34 cells and panels, dedicated crops grown for energy  
35 production, cellulosic agricultural residues, plant  
36 residues, methane from landfills, from agricultural  
37 operations, or from wastewater treatment, thermal  
38 depolymerization or pyrolysis for converting waste  
39 material to energy, clean and untreated wood such as  
40 pallets, hydropower (not including pumped storage) that  
41 does not require a new diversion or impoundment of  
42 water and that has a nameplate rating of ten megawatts  
43 or less, fuel cells using hydrogen produced by one of



1 the above-named renewable energy sources, and other  
2 sources of energy not including nuclear that become  
3 available after November 4, 2008, and are certified as  
4 renewable by rule by the department.]

5  
6 [393.1030. 1. The commission shall, in  
7 consultation with the department, prescribe by rule a  
8 portfolio requirement for all electric utilities to  
9 generate or purchase electricity generated from  
10 renewable energy resources. Such portfolio requirement  
11 shall provide that electricity from renewable energy  
12 resources shall constitute the following portions of  
13 each electric utility's sales:

14 (1) No less than two percent for calendar years  
15 2011 through 2013;

16 (2) No less than five percent for calendar years  
17 2014 through 2017;

18 (3) No less than ten percent for calendar years  
19 2018 through 2020; and

20 (4) No less than fifteen percent in each calendar  
21 year beginning in 2021. At least two percent of each  
22 portfolio requirement shall be derived from solar  
23 energy. The portfolio requirements shall apply to all  
24 power sold to Missouri consumers whether such power is  
25 self-generated or purchased from another source in or  
26 outside of this state. A utility may comply with the  
27 standard in whole or in part by purchasing RECs. Each  
28 kilowatt-hour of eligible energy generated in Missouri  
29 shall count as 1.25 kilowatt-hours for purposes of  
30 compliance.

31 2. The commission, in consultation with the  
32 department and within one year of November 4, 2008,  
33 shall select a program for tracking and verifying the  
34 trading of renewable energy credits. An unused credit  
35 may exist for up to three years from the date of its  
36 creation. A credit may be used only once to comply  
37 with sections 393.1020 to 393.1030 and may not also be  
38 used to satisfy any similar nonfederal requirement. An  
39 electric utility may not use a credit derived from a  
40 green pricing program. Certificates from net-metered  
41 sources shall initially be owned by the  
42 customer-generator. The commission, except where the  
43 department is specified, shall make whatever rules are  
44 necessary to enforce the renewable energy standard.  
45 Such rules shall include:

46 (1) A maximum average retail rate increase of one  
47 percent determined by estimating and comparing the  
48 electric utility's cost of compliance with least-cost

1 renewable generation and the cost of continuing to  
2 generate or purchase electricity from entirely  
3 nonrenewable sources, taking into proper account future  
4 environmental regulatory risk including the risk of  
5 greenhouse gas regulation;

6 (2) Penalties of at least twice the average  
7 market value of renewable energy credits for the  
8 compliance period for failure to meet the targets of  
9 subsection 1. An electric utility will be excused if  
10 it proves to the commission that failure was due to  
11 events beyond its reasonable control that could not  
12 have been reasonably mitigated, or that the maximum  
13 average retail rate increase has been reached.  
14 Penalties shall not be recovered from customers.  
15 Amounts forfeited under this section shall be remitted  
16 to the department to purchase renewable energy credits  
17 needed for compliance. Any excess forfeited revenues  
18 shall be used by the department's energy center solely  
19 for renewable energy and energy efficiency projects;

20 (3) Provisions for an annual report to be filed  
21 by each electric utility in a format sufficient to  
22 document its progress in meeting the targets;

23 (4) Provision for recovery outside the context of  
24 a regular rate case of prudently incurred costs and the  
25 pass-through of benefits to customers of any savings  
26 achieved by an electrical corporation in meeting the  
27 requirements of this section.

28 3. Each electric utility shall make available to  
29 its retail customers a standard rebate offer of at  
30 least two dollars per installed watt for new or  
31 expanded solar electric systems sited on customers'  
32 premises, up to a maximum of twenty-five kilowatts per  
33 system, that become operational after 2009.

34 4. The department shall, in consultation with the  
35 commission, establish by rule a certification process  
36 for electricity generated from renewable resources and  
37 used to fulfill the requirements of subsection 1 of  
38 this section. Certification criteria for renewable  
39 energy generation shall be determined by factors that  
40 include fuel type, technology, and the environmental  
41 impacts of the generating facility. Renewable energy  
42 facilities shall not cause undue adverse air, water, or  
43 land use impacts, including impacts associated with the  
44 gathering of generation feedstocks. If any amount of  
45 fossil fuel is used with renewable energy resources,  
46 only the portion of electrical output attributable to  
47 renewable energy resources shall be used to fulfill the  
48 portfolio requirements.

1           5. In carrying out the provisions of this  
2 section, the commission and the department shall  
3 include methane generated from the anaerobic digestion  
4 of farm animal waste and thermal depolymerization or  
5 pyrolysis for converting waste material to energy as  
6 renewable energy resources for purposes of this  
7 section.]

8  
9           [393.1040. In addition to the renewable energy  
10 objectives set forth in sections 393.1025, 393.1030,  
11 and 393.1035, it is also the policy of this state to  
12 encourage electrical corporations to develop and  
13 administer energy efficiency initiatives that reduce  
14 the annual growth in energy consumption and the need to  
15 build additional electric generation capacity.]

16  
17           [393.1045. Any renewable mandate required by law  
18 shall not raise the retail rates charged to the  
19 customers of electric retail suppliers by an average of  
20 more than one percent in any year, and all the costs  
21 associated with any such renewable mandate shall be  
22 recoverable in the retail rates charged by the electric  
23 supplier. Solar rebates shall be included in the one  
24 percent rate cap provided for in this section.]

25  
26           [393.1050. Notwithstanding any other provision of  
27 law, any electrical corporation as defined by  
28 subdivision 15 of section 386.020 which, by January 20,  
29 2009, achieves an amount of eligible renewable energy  
30 technology nameplate capacity equal to or greater than  
31 fifteen percent of such corporation's total owned  
32 fossil-fired generating capacity, shall be exempt  
33 thereafter from a requirement to pay any installation  
34 subsidy, fee, or rebate to its customers that install  
35 their own solar electric energy system and shall be  
36 exempt from meeting any mandated solar renewable energy  
37 standard requirements. Any disputes or denial of  
38 exemptions under this section may be reviewable by the  
39 circuit court of Cole County as prescribed by law.];  
40 and

41 Further amend said bill, Page 20, Section B, Line 3 by  
42 inserting after the word "decisions" the following: "and the  
43 need to ensure the creation of jobs through the utilization of  
44 alternative energy sources"; and

45 Further amend said bill, Page 20, Section B, Line 4, by  
46 inserting after the number "386.540" the following: "and the

1 enactment of section 620.2300"; and

2 Further amend said bill, Page 20, Section B, Line 7, by  
3 inserting after the number "386.540" the following: "and the  
4 enactment of section 620.2300"; and

5 Further amend said title, enacting clause and intersectional  
6 references accordingly.