



Renew Missouri

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Joplin Utility Sued For Violations of Missouri's Renewable Energy Law

Monday, January 27, 2014. Clean energy groups are bringing their case before the Missouri Supreme Court claiming that Joplin-based utility Empire District Electric Company is in violation of the state's main renewable energy law. On Friday, January 24, 2014, Renew Missouri, represented by Great Rivers Environmental Law Center, appealed the decision of the Public Service Commission which held that Empire District did not have to comply with the solar energy requirements of Missouri's Renewable Energy Standard (RES).

Unlike St. Louis-based Ameren Missouri and Kansas City-based KCP&L, Empire has refused to offer its customers a rebate for solar installations, which the RES law requires. Since 2008, over 3,000 customer-owned solar systems have been installed across the state. Ameren and KCP&L have invested over \$150 million in helping their customers install solar, which has created hundreds of Missouri jobs and allowed customers to save on their utility bills and increase the value of their homes. Despite this Missouri solar renaissance, virtually no solar panels have been installed in Empire's service territory, located in the southwest portion of the state.

The litigation is rooted in events stretching back to November, 2008, when Missourians voted by 66% to approve the RES in the form of Proposition C. The law requires the state's publicly regulated utilities to get 15% of their energy from renewable sources by 2021. Some of that energy must come from solar, and utilities must offer rebates to customers interested in installing solar. However, in May, 2008, before the RES could be enacted, legislators in Jefferson City passed a law that tried to exempt Empire alone from having to comply with the law's solar requirements. Clean energy advocates like Renew Missouri, who worked for the law's passage, say this exemption is unconstitutional and does not relieve Empire of its duty to offer solar rebates to its customers. The groups challenged the exemption in Circuit Court and before the Public Service Commission, and now the Missouri Supreme Court will have the final say in whether Empire must comply with the solar requirements of the RES.

"It is disgraceful that Empire went to the legislature to get a pass from assisting its customers in saving money and controlling their own energy by installing solar," said Henry Robertson, attorney at Great Rivers Environmental Law Center. "Empire should be retiring its polluting coal plants and using more solar and wind energy, for the sake of the climate and its customers' future energy security."

"The sun also shines in southwest Missouri, but Empire has repeatedly refused to offer its customers improved access to solar," said PJ Wilson, Executive Director of Renew Missouri. "Missourians spoke loudly in 2008 when they called for more renewable energy and jobs for Missouri. Empire should listen to its customers and finally comply with our state's Renewable Energy Standard."

A decision from the Supreme Court is expected within twelve months.

Renew Missouri is a nonprofit clean energy policy group based in Columbia whose mission is to transform Missouri into a leading state in renewable energy and energy efficiency by 2016. For more info, please visit: www.renewmo.org

Great Rivers is a nonprofit public interest environmental law firm in St. Louis that provides free and reduced-fee legal services to those working to promote preservation of open space, clean energy, clean air and clean water. Its web address is: www.greatriverslaw.org.