

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

In the Matter of the Consideration of Adoption)	
of the PURPA Section 111(d)(12) Fuel Sources)	
Standard as Required by Section 1251 of the)	Case No. EO-2006-0494
Energy Policy Act of 2005)	

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

**POSITION STATEMENTS OF EXPERT APPEARING ON
BEHALF OF THE EMPIRE DISTRICT ELECTRIC COMPANY**

In accordance with the "Order Establishing a Procedural Schedule for On-the-Record Presentations" issued on March 15, 2007, by the Missouri Public Service Commission, The Empire District Electric Company ("Empire"), hereby files the attached written position statements of David W. Gibson, who will appear on Empire's behalf at the on-the-record presentations scheduled for April 27, 2007, in the above-captioned dockets.

Respectfully submitted,

_____/s/_____
L. Russell Mitten MBE #27881
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
(573) 635-7166 voice
(573) 635-3847 facsimile
Email: rmitten@brydonlaw.com

ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

In the Matter of the Consideration of)
Adoption of the PURPA §111(d)(12) Fuel)
Sources Standard as Required by §1251) Case No. EO-2006-0494
Of the Energy Policy Act of 2005)

1 The purpose of the EPA Act Standard for fuel sources was designed to reduce a
2 utilities dependence on a single fuel source and to insure that electricity the utility
3 provides to its customers comes from as diverse a range of fuel sources and technologies
4 as practicable.

5 The current fuel source standard that is contained in 4 CSR 240-22.040 and used in
6 Missouri by Empire has resulted in a diverse mix of fuel generation by Empire. In
7 addition, the current IRP rule, 4 CSR 240-22.060, provide interested parties with input
8 into the companies resource plan. There have been no concerns expressed about fuel mix
9 other than the need for more baseload coal generation during these meetings. The
10 following table shows the results for the years 1990, 2005 and 2006.

	2006			2005			1990		
	<u>MWh</u>			<u>MWh</u>			<u>MWh</u>		
Coal	2,435,760	43.7%		2,278,706	41.3%		2,235,971	73.6%	
Pet Coke	134,447	2.4%		145,909	2.6%		-	0.0%	
Nat Gas	959,815	17.2%		1,431,017	25.9%		37,878	1.2%	
Oil	1,314	0.0%		26,982	0.5%		4,406	0.1%	
Hydro	22,673	0.4%		65,581	1.2%		59,551	2.0%	
Tires	14,596	0.3%		17,311	0.3%		-	0.0%	
Wind PPA	515,970	9.3%		74,074	1.3%		-	0.0%	
Coal PPA	1,154,577	20.7%		1,242,234	22.5%		-	0.0%	
Other PPA	<u>331,321</u>	<u>5.9%</u>		<u>237,388</u>	<u>4.3%</u>		<u>700,837</u>	<u>23.1%</u>	

5,570,473	100.0%	5,519,202	100.0%	3,038,643	100.0%
-----------	--------	-----------	--------	-----------	--------

Capacity By Fuel Type

	2006		2005		1990	
	<u>MW</u>		<u>MW</u>		<u>MW</u>	
Coal	380	30.1%	382	30.2%	383	46.6%
Nat Gas**	704	55.8%	704	55.7%	279	33.9%
Hydro	16	1.3%	16	1.3%	16	1.9%
Coal PPA	162	12.8%	162	12.8%	-	0.0%
Other PPA	=	<u>0.0%</u>	=	<u>0.0%</u>	<u>145</u>	<u>17.6%</u>
	1,262	100.0%	1,264	100.0%	823	100.0%

** Some natural gas units can also burn fuel oil

- 1 As can be seen, the mix of generation has become more diverse since 1990.
- 2 Some parties have suggested that there be a requirement for certain types of resources
- 3 such as renewable energy resources. The EAct does not mandate this and it could have
- 4 an impact on such things as costs, reliability issues etc.
- 5 This above table would tend to indicate that the current rules in effect are
- 6 adequate and are therefore in compliance with the intent of the EAct Standard.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 13TH day of April, 2007:

General Counsel Office
Missouri Public Service
Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Mills Lewis
Office Of Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

Frey Dennis
Missouri Public Service
Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Denny.Frey@psc.mo.gov

Woodsmall David
AG Processing, Inc
428 E. Capitol Ave., Suite 300
Jefferson City, MO 65102
dwoodsmall@fcplaw.com

Conrad W Stuart
AG Processing, Inc
3100 Broadway, Suite 1209
Kansas City, MO 64111
stucon@fcplaw.com

Kurtz M David
AmerenUE
111 S. Ninth St., Suite 200
P.O. Box 918
Columbia, MO 65205-0918
kurtz@smithlewis.com

Lowery B James
AmerenUE
111 South Ninth St., Suite 200
P.O. Box 918
Columbia, MO 65202-0918
lowery@smithlewis.com

Sullivan R Steven
AmerenUE
1901 Chouteau Avenue
P.O. Box 66149 (MC 1300)
St. Louis, MO 63166-6149
srsullivan@ameren.com

Byrne M Thomas
AmerenUE
1901 Chouteau Avenue
P.O. Box 66149 (MC 1310)
St. Louis, MO 63166-6149
tbyrne@ameren.com

Mitten L Russell
Aquila Networks
312 E. Capitol Ave
P.O. Box 456
Jefferson City, MO 65102
rmitten@brydonlaw.com

Robertson B Henry
Burroughs Audubon Society
705 Olive Street
Suite 614
St. Louis, MO 63101
hrobertson@greatriverslaw.org

Henry G Kathleen
Burroughs Audubon Society
705 Olive Street, Suite 614
St. Louis, MO 63101
khenry@greatriverslaw.org

Henry Kathleen
Concerned Citizens of Platte
County
705 Olive Street, Suite 614
St. Louis, MO 63101
khenry@greatriverslaw.org

Robertson B Henry
Concerned Citizens of Platte
County
705 Olive Street
Suite 614
St. Louis, MO 63101
hrobertson@greatriverslaw.org

Mitten L Russell
Empire District Electric Company,
The
312 E. Capitol Ave
P.O. Box 456
Jefferson City, MO 65102
rmitten@brydonlaw.com

Robertson B Henry
Heartland Renewable Energy
Society
705 Olive Street
Suite 614
St. Louis, MO 63101

Henry G Kathleen
Heartland Renewable Energy
Society
705 Olive Street, Suite 614
St. Louis, MO 63101
khenry@greatriverslaw.org

Fischer M James
Kansas City Power & Light
Company
101 Madison--Suite 400
Jefferson City, MO 65101
jfischerpc@aol.com

hrobertson@greatriverslaw.org

Blanc D Curtis
Kansas City Power & Light
Company
1201 Walnut, 20th Floor
Kansas City, MO 64106
Curtis.Blanc@kcpl.com

Robertson B Henry
Mid-Missouri Peaceworks
705 Olive Street, Suite 614
St. Louis, MO 63101
hrobertson@greatriverslaw.org

Henry G Kathleen
Mid-Missouri Peaceworks
705 Olive Street, Suite 614
St. Louis, MO 63101
khenry@greatriverslaw.org

Woods Shelley
Missouri Department of Natural
Resources
P.O. Box 899
Jefferson City, MO 65102-0899
shelley.woods@ago.mo.gov

Vuylsteke M Diana
Missouri Industrial Energy
Consumers
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

Robertson B Henry
Ozark Energy Services
705 Olive Street
Suite 614
St. Louis, MO 63101
hrobertson@greatriverslaw.org

Henry G Kathleen
Ozark Energy Services
705 Olive Street, Suite 614
St. Louis, MO 63101
khenry@greatriverslaw.org

Woodsmall David
Praxair, Inc.
428 E. Capitol Ave., Suite 300
Jefferson City, MO 65102
dwoodsmall@fcplaw.com

Conrad W Stuart
Praxair, Inc.
3100 Broadway, Suite 1209
Kansas City, MO 64111
stucon@fcplaw.com

Woodsmall David
Sedalia Industrial Energy Users
Association
428 E. Capitol Ave., Suite 300
Jefferson City, MO 65102
dwoodsmall@fcplaw.com

Conrad W Stuart
Sedalia Industrial Energy Users
Association
3100 Broadway, Suite 1209
Kansas City, MO 64111
stucon@fcplaw.com

Robertson B Henry
Sierra Club
705 Olive Street, Suite 614
St. Louis, MO 63101
hrobertson@greatriverslaw.org

Henry G Kathleen
Sierra Club
705 Olive Street, Suite 614
St. Louis, MO 63101
khenry@greatriverslaw.org

/s/

L. Russell Mitten