

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

In the Matter of the Application of The Empire District)
Electric Company for a Certificate of Convenience and) Case No. EA-2019-0010
Necessity Related to its Customer Savings Plan)

MOTION TO MODIFY STIPULATION

COMES NOW the Missouri Department of Conservation ("MDC"), and hereby requests the Commission issue its order approving a minor modification to the requirements of ¶ 9 of Appendix A to the Stipulation and Agreement Concerning Wildlife Issues ("Appendix A"), filed in this case and approved by the Commission by its *Report and Order* dated June 19, 2019. In support of its request, MDC states as follows:

1. Paragraph 9 of Appendix A contemplates that MDC will conduct a traffic count survey, with specified funding to be provided by The Empire District Electric Company ("Empire").
2. Paragraph 9 was included in Appendix A at the request of MDC.
3. MDC is a taxpayer funded, public governmental body. MDC is headed by the Missouri Conservation Commission created by Article IV, Section 40 of the Missouri Constitution. MDC's interests include the protection, management, restoration and conservation of Missouri's forest, fish and wildlife resources.
4. Since MDC originally requested the traffic count survey, MDC has changed its staffing priorities, and it no longer desires to move forward with such survey.
5. MDC has discussed the potential deletion of paragraph 9 of Appendix A with counsel for the other parties to this case. Empire has stated that it supports the proposed deletion and counsel for all other parties have indicated they do not object to such deletion.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon all of the parties of record or their counsel, pursuant to the Service List maintained by the Data Center of the Missouri Public Service Commission, on this 11th day of May, 2020.

/s/ Stephanie S. Bell