

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

In the matter of The Empire District)
Electric Company of Joplin, Missouri)
for Authority to File Tariffs Increasing) File No. ER-2012-0345
Rates for Electric Service Provided to)
Customers in the Missouri Service)
Area of the Company)

**MISSOURI DEPARTMENT OF NATURAL RESOURCES'
STATEMENT OF POSITION**

COMES NOW the Missouri Department of Natural Resources (“MDNR”), and provides the following Statement of Position, with issues numbered according to the “List of Issues and Order Of Witnesses, Cross, and Openings,” filed on February 8, 2013 and the “Response To Order Directing Filing, Revised List Of Issues and Order Of Witnesses And Request For Clarification,” filed on February 13, 2013. MDNR reserves the right to modify its positions or to assert additional positions as this case proceeds.

C. Other Rate Design Issues:

1. Low Income Weatherization

- (a) Should the maximum and average per-unit amount be eliminated?
- (b) Should Staff’s recommended tariff language revision be implemented?

MDNR POSITION:

- a. MDNR requests that the language in the Terms and Conditions section of Empire's low-income weatherization tariff (Schedule PRO. Sheet 8c) setting the maximum and average per-unit expenditure level be updated.
- b. MDNR supports Staff's recommended tariff language revision with two exceptions which are addressed in Schedule AB-1S of the surrebuttal testimony of MDNR Witness Adam Bickford.

Respectfully submitted,

CHRIS KOSTER
Attorney General



JEREMY D. KNEE
Missouri Bar #64644
Assistant Attorney General
Agriculture & Environment Division
Missouri Attorney General's Office
P.O. Box 899
Jefferson City, Missouri 65102
Phone: 573-751-6579
Fax: 573-751-8796
Email: jeremy.knee@ago.mo.gov
**Attorneys for Missouri Department
of Natural Resources**

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served electronically on all counsel of record this 13th day of February, 2013.

/s/ Jeremy Knee
Jeremy Knee
Assistant Attorney General