

**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 Rates for Electric) **Case No. ER-2010-0130**
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 states as follows:

The Missouri Department of Natural Resources (MDNR) is actively participating in only the Energy Efficiency and Low-Income Programs issues in this case.

Consequently, its Statement of Position will be confined to those issues, as described in the Section II. Energy Efficiency and Low-Income Program of the JOINT LIST OF ISSUES AND ORDER OF CROSS-EXAMINATION filed on April 26, 2010. However, the MDNR's silence on the other issues in the above-styled case should not be construed as agreement with the position advocated by any other party to this case.

II. ENERGY EFFICIENCY AND LOW-INCOME PROGRAMS

A. Should Empire's Demand Side Management portfolio, consisting of both energy efficiency programs and a demand response program, remain the same in this rate case in accordance with Empire's Regulatory Plan?

In light of, and compliance with, the terms of Empire's Regulatory Plan, MDNR is no longer pursuing some of the positions included in MDNR witness Laura Wolfe's

direct testimony, instead concurring in the position that Empire's demand side management portfolio should remain unchanged until after the Iatan rate case.

Wolfe Direct

B. Should any changes be made to Empire's Experimental Low Income Program?

MDNR's position is that homeowners should be required to apply for low income weatherization assistance, but renters should not be obligated to apply for low income weatherization assistance in order to qualify for Empire's ELIP.

Wolfe Surrebuttal

C. Should Empire's Residential Conservation Service Rider be eliminated?

MDNR does not take a position on this issue.

D. Should Empire be required to model two demand-side management program portfolios (moderate and aggressive), with a goal of achieving annual electric energy (sales) and demand savings (peak) equivalent to 1% and 2% in its next integrated resource plan?

Yes.

Wolfe Direct and Surrebuttal

WHEREFORE, MDNR respectfully submits its Statement of Position.

Respectfully submitted,

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or e-mailed to all counsel of record on the 28th day of April 2010.

/s/ Sarah Mangelsdorf
Sarah Mangelsdorf
Assistant Attorney General