

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric)	
Company's Application for Variance and)	
Clarification Concerning Select Provisions of)	Case No. EE-2008-0025
Commission Rules Related to Electric Utility)	
Resource Planning.)	

EMPIRE'S REPLY TO STAFF AND DNR RESPONSES

COMES NOW The Empire District Electric Company (Empire or Company), and, in reply to the responses filed by the Missouri Department of Natural Resources (DNR) and the Missouri Public Service Commission (Commission) Staff (Staff), states as follows:

1. On July 23, 2007, Empire asked the Commission to grant it variances from certain requirements of the Commission's Integrated Resource Planning (IRP) Rule, 4 CSR 240-22, and to clarify other requirements. The Commission directed that responses to Empire's Application be filed by August 20, 2007.

2. On August 20, 2007, responses were filed by the Staff and DNR. On August 22, 2007, the Commission directed that any reply to these responses be filed by August 24, 2007. As indicated by the Commission, the Staff and DNR responses "generally support Empire's positions, but ask the Commission to impose some additional requirements on Empire."

3. Staff's response as to the variance request indicates no objection, but asks the Commission to "make it clear that this is a one-time authorization applicable solely to Empire and that the 4 CSR 240-Chapter 22 Rules themselves are not in any manner affected." Empire does not object to this additional requirement.

4. Staff further agrees with the clarifications sought by Empire, with the additional requirements that Empire "document its decision-making process regarding its treatment of subclasses in its load forecasting" and "document its role in transmission planning for its service

territory” and “include estimates of transmission planning costs for the various supply-side options” when it files its Electric Utility Resource Planning filing. Empire does not object to these added requirements.

5. DNR similarly does not object to Empire’s application, however, also suggests some additional requirements. DNR’s suggestions, and Empire’s positions as to these suggestions, are as follows:

a. Load Analysis and Forecasting – DNR asks that Empire be required to provide an explanation of the forecasting models it will use “as soon as practicable” and “in advance of the actual filing.” Empire does not object to this requirement. However, it would point out that because its filing will be made in approximately 13 days, the information can only be provided a few days before the actual filing.


b. Estimating the Technical Potential of Demand Side Management – DNR suggests that in preparation for Empire’s next IRP filing, Empire “engage in a more thorough analysis of the whole array of energy efficiency measures to determine programs that are not currently included in Empire’s portfolio of DSM programs.” Empire does not object to this suggestion.

c. Performing Market Research Studies – DNR asks that Empire be required to “provide details regarding its plans for market research, including the anticipated timeline for the research, anticipated methodology and consultant to be used.” DNR further states that “if these details have not yet been determined, Empire should be required to provide the details as soon as practicable.” Empire has not yet determined the details of the market research. Thus, while Empire does not object to providing those details “as soon as practicable,” they certainly will not be available until after Empire’s IRP filing. Empire plans to discuss this issue with the

Customer Programs Collaborative (CPC) (of which DNR is a member).

WHEREFORE, Empire respectfully requests that the Commission issue its order granting a variance and clarification as requested in Empire's Application and subject to the requests contained in the Staff and DNR Responses.

Respectfully submitted,



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ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

CERTIFICATE OF SERVICE

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