

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

In the Matter of The Empire District Electric)
Company's 2015 IRP Annual Update) File No. EO-2015-0216
Being Filed Pursuant to Rule 4 CSR 240-22.080.)

EMPIRE'S RESPONSE TO THE MISSOURI PUBLIC SERVICE COMMISSION
STAFF'S COMMENTS

COMES NOW The Empire District Electric Company ("Empire" or "Company"), by and through the undersigned counsel, and hereby responds to the Comments of the Missouri Public Service Commission Staff ("Staff") filed herein. In this regard, Empire respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. Empire filed its 2015 Annual Update Report herein on March 13, 2015, pursuant to Commission Rule 4 CSR 240-22.080(3). The annual update workshop meeting followed on April 29, 2015, and the workshop summary report was filed by Empire on May 8, 2015.

2. Empire's 2015 annual update provided updates to the stakeholders concerning the current preferred resource plan; the status of the identified critical uncertain factors; progress in implementing the resource acquisition strategy; issues that were agreed to in the last integrated resource plan's ("IRP") Joint Filing; and changing conditions in general since the most recent triennial compliance filing ("2013 IRP"), which was filed on July 1, 2013, in File No. EO-2013-0547; and the prior annual update filing, which was filed on March 11, 2014, in File No. EO-2014-0243. The annual update also addressed the 2015 annual update special contemporary issues that were identified in File No. EO-2015-0042 pursuant to 4 CSR 240-22.080(4).

3. Stakeholders were permitted to file comments with the Commission pursuant to Rule 4 CSR 240-22.080(3)(D) regarding Empire's 2015 Annual Update Report and the annual update workshop within 30 days of the utility's filing of the workshop summary report. Staff

filed its Comments on May 1, 2015, two days after the workshop and prior to Empire filing the workshop summary report. Empire is responding to the Staff Comments herein.

4. The Staff Comments to Empire's 2015 annual update report do not appear to claim any deficiencies or concerns related to Empire's 2015 annual update report or workshop. The Comments do make certain suggestions to which Empire will respond in the following paragraphs.

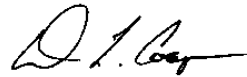
5. **Paragraph 1 of the Staff Comments:** Staff mentions Empire's agreement to continue the existing demand-side programs as a result of paragraph 11 of the *Revised Stipulation and Agreement and List of Issues* filed in Empire's on-going general electric rate case (Case No. ER-2014-0351). Empire agrees with the information in this paragraph. However, Empire also would point out that the referenced stipulation has not yet been approved by the Commission and a final Commission order has not yet been issued in the rate case.

6. **Paragraphs 3 and 4 of the Staff Comments:** Staff recommends that Empire notify the Commission that it has decided to alter its adopted preferred resource plan to exclude the implementation of a MEEIA plan as part of its 2014 – 2016 implementation strategy and to update its business case for making a MEEIA application in 2016, following the 2016 triennial compliance filing, should such a MEEIA application be included in the implementation plan of that study. While Empire does not discount Staff's recommendations, Empire does not believe that it is in a position to make such a decision at this time. Empire will not make a decision concerning a possible withdrawal of the open MEEIA case (File No. EO-2014-0030), until a final order has been issued in the rate case (Case No. ER-2014-0351). The suggested change in Empire's preferred plan will only come about if Empire decides to withdraw the MEEIA case. Only at some point in the future, depending on the final Commission order in the rate case (Case

No. ER-2014-0351), will Empire be in a position to potentially act on the Staff's recommendations that appear in paragraphs 3 and 4.

WHEREFORE, Empire respectfully requests that the Commission consider this Response.

BRYDON, SWEARENGEN & ENGLAND P.C.

By: 
Dean L. Cooper #36592
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
Telephone: (573) 635-7166
Facsimile: (573) 634-7431
E-mail: dcooper@BrydonLaw.com

ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on May 11, 2015, to the following:

Whitney Payne
Office of the General Counsel
whitney.payne@psc.mo.gov
staffcounsel@psc.mo.gov

Dustin Allison
Office of the Public Counsel
opcservice@ded.mo.gov

Alex Antal
Missouri Division of Energy
Alexander.Antal@ded.mo.gov

Carl Lumley
Curtis, Oetting, Heinz, Garrett & O'Keefe
clumley@lawfirmemail.com

Stuart Conrad
Finnegan, Conrad, et al.
stucon@fcplaw.com

Doug Healy
Healy Law Offices
doug@healylawoffices.com

Andrew Linhares
Renew Missouri
Andrew@renewmo.org

