

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

In the Matter of The Empire District Electric            )  
Company for Authority to File Tariffs Increasing        )  
Rates for Electric Service Provided to Customers        )        Case No. ER-2014-0351  
in the Company’s Missouri Service Area                 )

**JOINT LIST OF ISSUES, REQUEST FOR ADDITIONAL WITNESSES TO BE  
EXCUSED, AND PROPOSED HEARING SCHEDULE**

COME NOW all parties to this proceeding, The Empire District Electric Company (“Empire” or “Company”), the Staff of the Commission (“Staff”), the Office of the Public Counsel (“OPC”), the City of Joplin (“Joplin”), the Missouri Department of Economic Development – Division of Energy (“DE”), the Midwest Energy Users’ Association (“MEUA”), and the Midwest Energy Consumers Group (“MECG”) (collectively, the “Parties”), by and through their respective counsel, and respectfully state as follows to the Missouri Public Service Commission (“Commission”):

**List of Issues**

If the Revised Stipulation and Agreement is accepted and approved by the Commission, the following remain as issues to be decided by the Commission:

- a.     **FAC:** Should SPP transmission costs and revenues be included? If so, what transmission costs and revenues should be included?
  
- b.     **Misc. Tariffs:** Should Empire be required to submit a Large Power rate schedule in its next case that recognizes a time differentiated facilities demand charge?
  
- c.     **Class Cost of Service and Rate Design:**
  - i.     How do Empire’s residential and industrial rates compare with national averages?
  - ii.    What, if any, revenue neutral interclass shifts are supported by Class Cost of Service studies?
  - iii.   What, if any, revenue neutral interclass shifts should be made in designing the rates resulting from this case?
  - iv.    What, if any, changes to the Commercial and Industrial customer charges are supported by Class Cost of service studies?

- v. What, if any, changes to the Commercial and Industrial customer charges should be made in designing the rates resulting from this case?
- vi. What, if any, changes to the LP tail block rate are supported by Class Cost of Service studies?
- vii. What, if any, changes to the LP tail block rate should be made in designing the rates resulting from this case?

**Request for Additional Witnesses to be Excused and Waiver of Cross**

The Parties waive cross examination of Staff witnesses Sarah Kliethermes and David Roos, on all issues addressed by them, and request that they be excused from appearing at the evidentiary hearing herein. The Parties also request that the Commission admit into evidence all testimony, including exhibits and other attachments thereto, filed herein by Staff witnesses Sarah Kliethermes and David Roos.

The Parties waive cross examination of Empire witnesses Ed Overcast, Scott Keith, and Kelly Walters, on all issues addressed by them, and request that they be excused from appearing at the evidentiary hearing herein. The Parties also request that the Commission admit into evidence all testimony, including exhibits and other attachments thereto, filed herein by Empire witnesses Ed Overcast, Scott Keith, and Kelly Walters.

For issue b – time differentiated facilities demand charge for the LP class, the Parties waive cross examination of MECG witness Kavita Maini.

**Proposed Hearing Schedule**

**Tuesday, April 14, 9:30 a.m.**

Mark Exhibits / Entries of Appearance / Motions and Outstanding Matters  
Opening Statements / Questions for counsel regarding Economic Development:

Empire  
Staff  
OPC  
DE  
MEUA  
Joplin  
MECG

Class Cost of Service and Rate Design:

- (ii) What, if any, revenue neutral interclass shifts are supported by Class Cost of Service studies?
- (iii) What, if any, revenue neutral interclass shifts should be made in designing the rates resulting from this case?
- (iv) What, if any, changes to the Commercial and Industrial customer charges are supported by Class Cost of service studies?
- (v) What, if any, changes to the Commercial and Industrial customer charges should be made in designing the rates resulting from this case?
- (vi) What, if any, changes to the LP tail block rate are supported by Class Cost of Service studies?
- (vii) What, if any, changes to the LP tail block rate should be made in designing the rates resulting from this case?

Witnesses: Robin Kliethermes (Staff)  
Mike Scheperle (Staff)

**Tuesday, April 14, 2:00 p.m. (or at the conclusion of the agenda meeting)**

Questions regarding rate case expense for Staff witness Sarver and OPC witness Roth

**Friday, April 16, 9:30 a.m.**

Class Cost of Service and Rate Design:

- (ii) What, if any, revenue neutral interclass shifts are supported by Class Cost of Service studies?
- (iii) What, if any, revenue neutral interclass shifts should be made in designing the rates resulting from this case?
- (iv) What, if any, changes to the Commercial and Industrial customer charges are supported by Class Cost of service studies?
- (v) What, if any, changes to the Commercial and Industrial customer charges should be made in designing the rates resulting from this case?
- (vi) What, if any, changes to the LP tail block rate are supported by Class Cost of Service studies?
- (vii) What, if any, changes to the LP tail block rate should be made in designing the rates resulting from this case?

Witness: Kavita Maini (MECG)<sup>1</sup>

---

<sup>1</sup> Pursuant to the Second Agreement Regarding Cross Examination and Admission of Testimony, Request for Witnesses to be Excused, and Motion to Modify Hearing Schedule, all parties to this proceeding waive cross-examination of Ms. Maini on all FAC issues.

**Order of Cross Examination**

<i>Empire Witnesses:</i>	<i>Div. of Energy Witnesses:</i>	<i>OPC Witnesses</i>
Division of Energy	City of Joplin	Division of Energy
City of Joplin	MEUA	City of Joplin
MEUA	OPC	MEUA
OPC	Staff	Staff
Staff	MECG	MECG
MECG	Empire	Empire

<i>Staff Witnesses:</i>	<i>MECG Witnesses:</i>
Division of Energy	Division of Energy
City of Joplin	City of Joplin
MEUA	Empire
OPC	MEUA
Empire	OPC
MECG	Staff

WHEREFORE, all Parties hereto respectfully submit this Joint List of Issues, List and Order of Witnesses, Order of Cross-Examination, and Order of Opening Statements.

Counsel for The Empire District Electric Company:

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

/s/ Diana C. Carter

Dean L. Cooper #36592

Diana C. Carter #50527

BRYDON, SWEARENGEN & ENGLAND P.C.

312 E. Capitol Avenue

P. O. Box 456

Jefferson City, MO 65102

Phone: (573) 635-7166

Fax: (573) 634-7431

DCarter@BrydonLaw.com

Counsel for the Staff of the Commission:

By:

/s/ Robert S. Berlin

Robert S. Berlin, #51709

Deputy Counsel

Missouri Public Service Commission

P. O. Box 360  
Jefferson City, MO 65102  
Phone: (573) 526-7779  
Fax: (573) 751-9285  
E-mail: bob.berlin@psc.mo.gov

Counsel for the Office of the Public Counsel:

By:

/s/ Christina L. Baker  
Christina L Baker, #58303  
Deputy Public Counsel  
Office of the Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102  
Phone: (573) 751-5565  
Fax: (573) 751-5562  
christina.baker@ded.mo.gov

Counsel for the City of Joplin:

BLITZ, BARDGETT & DEUTSCH, L.C.

By:

/s/ Marc H. Ellinger  
Marc H. Ellinger, #40828  
Stephanie S. Bell, #61855  
308 East High Street, Suite 301  
Jefferson City, MO 65101  
Telephone No.: (573) 634-2500  
Facsimile No.: (573) 634-3358  
E-mail: mellinger@bbdlc.com  
E-mail: sbell@bbdlc.com

Counsel for the Missouri Department of Economic Development – Division of Energy:

By:

/s/ Ollie Green  
Ollie Green, Bar #64482  
Senior Legal Counsel  
Missouri Department of Economic Development  
P.O. Box 1157  
Jefferson City, MO 65102  
Ph: 573-526-4806  
E: ollie.green@ded.mo.gov

Counsel for the Midwest Energy Users' Association:

/s/ Stuart W. Conrad  
Stuart W. Conrad Mo. Bar #23966  
3100 Broadway, Suite 1209  
Kansas City, Missouri 64111  
(816) 753-1122  
Facsimile (816) 756-0373  
Internet: [stucon@swclaw.net](mailto:stucon@swclaw.net)

Counsel for Midwest Energy Consumers Group:

/s/ David I. Woodsmall  
Woodsmall Law Office  
308 E. High Street, Suite 204  
Jefferson City, MO 65101  
573-636-6006 (phone) / 573-636-6007 (fax)  
[David.woodsmall@woodsmalllaw.com](mailto:David.woodsmall@woodsmalllaw.com)