

**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) Case No. ER-2010-0130
Rates for Electric Service Provided to)
Customers in the Missouri Service Area)
of the Company.)

MIDWEST ENERGY USERS' ASSOCIATION LIMITED
STATEMENT OF POSITION

COMES NOW the Midwest Energy Users' Association (MEUA) and provides its statement of position on a limited sub-set of the issues presently identified.

MEUA has not chosen to submit testimony in this proceeding but through its representatives has worked actively with other parties throughout the development of this and related Empire cases. In general, MEUA will reserve its position on the issues pending the evidence adduced in the hearing, but will state its position on the following limited sub-set of the issues. We follow the issue numbering scheme employed by Staff.

IV. FUEL ADJUSTMENT CLAUSE

- A. Should the off-system sales margin, emission allowances, renewable energy credits, and AQCS consumables be flowed through the fuel adjustment clause?
- B. What are the appropriate reporting requirements for Empire's fuel adjustment clause?
- C. What formula should be used to calculate the fuel adjustment mechanism?

In general, MEUA expects to support the positions espoused on these issues by the Commission Staff, subject to consideration and evaluation of evidence adduced at the hearing.

V. Regulatory Plan Additional Amortizations

(a) Should Empire's revenue requirement in this case reflect the addition of regulatory plan additional amortizations? (b) If yes, how should the regulatory plan additional amortizations be calculated, and what amount is appropriate?

In general, and consistent with the Empire Regulatory Plan agreement, MEUA expects to support a properly-calculated Regulatory Plan Additional Amortization consistent with that recommended by Commission Staff, but subject to consideration and evaluation of evidence adduced at the hearing.

TRUE-UP ISSUES

Given that these issues have not yet matured and pertain primarily to the Plum Point generation station that is currently not used and useful, MEUA respectfully reserves its positions with respect to issues that may have been listed and others not presently known that relate to the true-up and inclusion of this major generating station.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, LC



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ATTORNEYS FOR MIDWEST ENERGY USERS
ASSOCIATION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.

A handwritten signature in black ink, appearing to read "David L. Woodsmall". The signature is written in a cursive style with a large initial "D".

David L. Woodsmall

Dated: April 28, 2010