

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

In the Matter of the Application of                    )  
The Empire District Electric Company for        )        File No. EO-2018-0092  
Approval of Its Customer Savings Plan.         )

**THE EMPIRE DISTRICT ELECTRIC COMPANY’S RESPONSE TO  
DOGWOOD ENERGY, LLC’S MOTION TO INTERVENE**

**COMES NOW** The Empire District Electric Company ("Empire" or "Company") and submits this response to the Motion to Intervene filed herein by Dogwood Energy, LLC (“Dogwood”). In this regard, Empire respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1.       On November 21, 2017, Dogwood filed its motion to intervene, asserting that it is entitled to intervene in this proceeding based on its interventions in prior Empire integrated resource planning (“IRP”) proceedings. Dogwood Motion to Intervene, pp. 1-2.
  
2.       Commission Rule 4 CSR 240-22.020(56) provides that any person who is granted intervention in a prior Chapter 22 proceeding of an electric utility shall be a party to any subsequent Chapter 22 proceeding of the utility without the need to seek intervention. Dogwood has participated in Empire’s Chapter 22 proceedings. The instant cause, however, is not a Chapter 22 proceeding. As such, Dogwood is not a party by right pursuant to 4 CSR 240-22.020 and would need to demonstrate a basis for intervention pursuant to Commission Rule 4 CSR 240-2.075.
  
3.       If the Commission finds that Dogwood has satisfied the requirements for intervention in this proceeding and Dogwood is allowed to participate herein, a protective order pursuant to Commission Rule 4 CSR 240-2.135(4) will be needed to prevent the production of certain types of confidential information to Dogwood. Specifically, Empire will seek to protect the confidentiality of

competitively sensitive information and confidential information obtained by Empire regarding potential competitors of Dogwood's in wholesale electric markets.

**WHEREFORE**, Empire respectfully submits this response to the Motion to Intervene filed herein by Dogwood Energy, LLC. Empire seeks such relief as is just and proper under the circumstances.

Respectfully submitted,

**BRYDON, SWEARENGEN & ENGLAND, P.C.**

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed in EFIS on this 27<sup>th</sup> day of November, 2017, with notification of the same sent to all counsel of record.

/s/ Diana C. Carter