

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

In the Matter of The Empire District Electric)	
Company's 2019 Triennial Compliance)	File No. EO-2019-0049
Filing Pursuant to 4 CSR 240-22)	

APPLICATION FOR VARIANCES

COMES NOW The Empire District Electric Company, a Liberty Utilities company ("Empire"), and submits this Application for Variances regarding 4 CSR 240-22.030 and 4 CSR 240-20.094. In support of its Application for Variances, Empire respectfully states as follows to the Missouri Public Service Commission (the "Commission"):

1. Empire is a corporation duly organized and existing under the laws of the State of Kansas and is duly qualified and engaged in doing business in the states of Missouri, Kansas, Arkansas and Oklahoma. Empire owns and operates an electric utility system located in contiguous portions of the above-mentioned four states, which is used to serve approximately 172,000 total electric customers. Empire is an "electric corporation" and a "public utility" as those terms are defined in RSMo. 386.020 and is subject to the jurisdiction and supervision of the Commission as provided by law.

2. A certified copy of Empire's Restated Articles of Incorporation, as amended and as filed in Case No. EF-94-39, is incorporated herein by reference in accordance with Commission Rule 4 CSR 240-2.060(1)(G). A certificate from the Missouri Secretary of State that Empire, a foreign corporation, is authorized to do business in Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated by reference in accordance with Commission Rule 4 CSR 240-2.060(1)(G). This information is current and correct. Empire has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates. Empire's annual report and assessment fees are not overdue.

3. Correspondence and other papers regarding this docket should be addressed to the

undersigned counsel and the following:

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4. Empire is seeking variances from portions of Commission Rules 4 CSR 240-22.030 and 4 CSR 240-20.094 with regard to Empire's 2019 IRP triennial compliance filing. Appendix A (Demand-Side Resource Analysis) and Appendix B (Load Analysis and Load Forecasting) attached to this Application identify the specific portions of the Rules for which Empire is requesting variances and the justification.

5. The variances being requested herein were previously requested and granted by this Commission. On April 1, 2015, Empire filed an Application for Variance in File No. EE-2015-0249 seeking these same variances, and the Commission issued an Order Granting Application for Variance on June 2, 2015, with regard to Empire's 2016 IRP triennial compliance filing (File No. EO-2016-0223).

6. According to Commission Rule 4 CSR 240-22.010, Policy Objectives, the fundamental objectives of the resource planning process for electric utilities are to provide the public with energy services that are safe, reliable, and efficient, at just and reasonable rates, in compliance with all legal mandates, and in a manner that serves the public interest and is consistent with state energy and environmental policies. The variances requested by Empire will not compromise these objectives. In fact, the granting of the requested variances will save considerable time and expense in a very time consuming and detailed integrated resource planning endeavor. Approval of this Application would therefore be in the public interest.

WHEREFORE, Empire respectfully requests that the Commission issue an Order granting Empire variances from the provisions of Commission Rules 4 CSR 240-22.030 and 4 CSR 240-

20.094 related to the Demand-Side Resource Analysis and Load Analysis and Forecasting of Electric Utility Resource Planning that are described in the attached Appendix A and Appendix B.

Respectfully submitted,

BRYDON, SWEARENGEN & ENGLAND, P.C.

By:

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 20th day of September, 2018, with notification of the same being sent to all parties of record.

_____/s/ Diana C. Carter