

**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)

**SECOND AGREEMENT REGARDING CROSS EXAMINATION AND ADMISSION OF
TESTIMONY, REQUEST FOR WITNESSES TO BE EXCUSED,
AND MOTION TO MODIFY 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”):

1. The Parties submitted an Agreement Regarding Cross Examination and Admission of Testimony and Request for Witnesses to be Excused on Friday, April 3, 2015. Today’s filing includes the witnesses listed in the previous filing and includes additional witnesses on which cross examination is being waived.

2. The Parties waive cross examination of the following Staff witnesses, on all issues addressed by these witnesses, and request that these witnesses be excused from appearing at the evidentiary hearing herein (some of these individuals were listed in the previous filing):

- Sarver – REC Revenues, Rate Case Expense;
- Huffman – Energy Efficiency;
- Stahlman – Policy, Low-Income Weatherization;

- Robinett – Depreciation Expense;
- Green – Incentive Compensation, Vegetation Management Tracker, Iatan2/Iatan Common/Plum Point O&M Trackers, Riverton 12 O&M Tracker, Operations and Maintenance Expense;
- Richter – Prepayments, Advertising, EEI Dues;
- Won – Weather Normalization;
- Lange – FAC/Net Base Fuel and Purchased Power;
- Harrison – FAC/Net Base Fuel and Purchased Power;
- Maloney – FAC/Net Base Fuel and Purchased Power; and
- Griffin – Rate of Return.

The Parties also request that the Commission admit into evidence all testimony, including exhibits and other attachments thereto, filed herein by each of the Staff witnesses listed in this paragraph two.

3. Additionally, the Parties waive cross examination: (a) on all issues addressed by Staff witness Roos *except* the issues of whether the FAC base contemplated by the Stipulation and Agreement (the “Joint Recommendation”) includes SPP transmission costs and revenues and the quantification of the FAC base if SPP transmission costs and revenues are excluded; (b) of Staff witness R. Kliethermes on policy issues; (c) of Staff witness S. Kliethermes on the issues of revenues, EDR Rider, and standby service; (d) of Staff witness Bolin on all issues *except* the quantification of the revenue requirement settlement and the preparation of the reconciliation; (e) of all issues addressed by Staff witness Scheperle *except* the issues of interclass revenue responsibility shifts and Large Power class rate design.

4. The Parties waive cross examination of the following Empire witnesses, on all issues addressed by these witnesses, and request that these witnesses be excused from appearing at the evidentiary hearing herein (some of these individuals were listed in the previous filing):

- Brent Baker – line extension policy, quality service reporting, economic development rider;
- Brad Beecher – policy;
- Aaron Doll – transmission revenue/expense, SPP integrated market, economic development rider;
- Brian Owens – cash working capital, customer advances;
- Todd Tarter – fuel and purchased power, fuel inventory levels, FAC revenue and expense, FAC base factor;
- Dr. James Vander Weide – rate of return;
- Joan Land – miscellaneous revenue, EMS corrections;
- Rob Sager – depreciation expense, capital structure;
- Jay Williams – accumulated deferred income taxes, current and deferred income taxes, property tax;
- Blake Mertens – O&M expense, Iatan and Plum Point trackers, prepayments, Riverton long-term maintenance contract;
- Steve Williams – customer growth and expansions, billing adjustments;
- Jeff Lee – pensions/OPEB; and
- Mark Quan – weather normalization.

The Parties also request that the Commission admit into evidence all testimony, including exhibits and other attachments thereto, filed herein by each of the Empire witnesses listed in this paragraph four.

5. Additionally, the Parties waive cross examination: (a) on all issues addressed by Empire witness Kelly Walters *except* the issue of rate comparisons, and (b) on all issues addressed by Empire witness Scott Keith *except* the issues of class cost of service, rate design, and time-differentiated facilities demand. The Parties maintain the right to cross Empire witness Ed Overcast on all issues addressed in his testimony.

6. The Parties waive cross examination as to all OPC witnesses and as to all DE witnesses, request that all OPC and DE witnesses be excused from appearing at the evidentiary hearing herein, and request that the Commission admit into evidence all testimony, including exhibits and other attachments thereto, filed herein by all OPC and DE witnesses.

7. The Parties waive cross examination as to MCEG witness Kavita Maini on the Fuel Adjustment Clause issues. The Parties maintain the right to cross MCEG witness Maini on the issues of class cost of service, revenue allocation, and rate design.

8. As noted above, the Parties request that the Commission admit into evidence all testimony, including exhibits and other attachments thereto, filed herein by each of the witnesses listed in paragraphs two and four above and by all OPC witnesses and all DE witnesses.

9. As noted above, the Parties request that the Commission excuse the witnesses listed in paragraphs two and four above, all OPC witnesses, and all DE witnesses from appearing at the evidentiary hearing herein.

10. The Parties also request that the start of the evidentiary hearing be postponed until Thursday, April 16, with the issues to be heard as follows:

Thursday, April 16 – 9:00 a.m.

Mark Exhibits
Entries of Appearance
Motions and Outstanding Matters
Opening Statements

FAC

Does the FAC base contemplated by the Joint Recommendation include SPP transmission costs and revenues? What is the quantification of the FAC base if SPP transmission costs and revenues are excluded?

Staff – David Roos

RATE COMPARISON

Empire – Kelly Walters

REVENUE REQUIREMENT IN JOINT RECOMMENDATION

Staff – Kim Bolin

Friday, April 17 – 9:00 a.m.

MISCELLANEOUS TARIFFS

Should Empire be required to submit a Large Power rate schedule in its next case that recognizes a time differentiated facilities demand charge?

Empire – Scott Keith
MECG - Kavita Maini

CLASS COST OF SERVICE AND RATE DESIGN

1. What, if any, revenue neutral interclass shifts are supported by Class Cost of Service studies?
2. What, if any, revenue neutral interclass shifts should be made in designing the rates resulting from this case?
3. What, if any, changes to the Commercial and Industrial customer charges are supported by Class Cost of service studies?
4. What, if any, changes to the Commercial and Industrial customer charges should be made in designing the rates resulting from this case?

5. What, if any, changes to the LP tail block rate are supported by Class Cost of Service studies?
6. What, if any, changes to the LP tail block rate should be made in designing the rates resulting from this case?
7. Should the LP tariff be modified to reduce demand charges following an outage? If so (1) how is “outage” to be defined, and (2) is Empire’s current filling and customer information system capable of accomplishing the modified billing proposed by MECG?

Empire – Ed Overcast¹
Staff – Sarah Kliethermes, Robin Kliethermes, Mike Scheperle
MECG - Kavita Maini

WHEREFORE, the Parties respectfully request that the Commission admit into evidence certain testimony prefiled herein, excuse the appearance of certain witnesses, and modify the hearing schedule, all as requested above.

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¹ Mr. Overcast is not available April 16 or 17. The Parties will work with the Commission to schedule a later date for the cross examination of Mr. Overcast.

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