

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

Earth Island Institute d/b/a	)	
Renew Missouri, et al.	)	
	)	
Complainants,	)	
	)	
v.	)	<b><u>File No. EC-2013-0378</u></b>
	)	
The Empire District Electric Company	)	
	)	
Respondent.	)	

**ORDER ESTABLISHING TIME TO RESPOND TO MOTION TO COMPEL  
FILING OF TARIFF SHEETS**

Issue Date: April 6, 2015

Effective Date: April 6, 2015

On November 26, 2013, the Commission issued an order denying Earth Island Institute, d/b/a Renew Missouri's motion for summary determination and granting The Empire District Electric Company's motion to dismiss. Renew Missouri appealed that decision, and on February 10, 2015, the Missouri Supreme Court issued an opinion reversing a portion of the Commission's order. Specifically, the Supreme Court declared that the statutory exemption from payment of solar rebates upon which Empire relied had been repealed by passage of Proposition C. The mandate from the Supreme Court issued on April 2, 2015.

On April 1, 2015, anticipating the issuance of the Supreme Court's mandate, Empire filed a motion asking the Commission to schedule a prehearing conference to discuss a procedural schedule for the further processing of this case. On April 3, the Commission

directed the complainants and the respondent to file pleadings by April 17, explaining what, if any, further action the Commission needs to take to resolve the complaint.

Later on April 3, Renew Missouri filed a motion to compel filing of tariff sheets and a motion for expedited treatment. That motion contends there are no contested issues remaining for decision by the Commission. Instead, Renew Missouri asserts Empire must now file tariffs to implement the solar rebates that are required under the law as declared by the Supreme Court. Renew Missouri asks the Commission to promptly order Empire to file such tariffs and argues that expedited consideration is required because the statutory solar rebate will drop from \$1.50 per watt to \$1.00 per watt on July 1, 2015.

Given Renew Missouri's request for expedited consideration, the Commission will direct Empire to respond to Renew Missouri's motion by 10:00 a.m. on April 8. That will allow the Commission to consider Renew Missouri's motion at its next agenda meeting on April 10.

This order applies only to a response to Renew Missouri's Motion to Compel Filing of Tariff Sheets. The parties may have other views on any other actions the Commission should take to resolve the entire complaint. For that reason, the Commission's April 3 Order Directing Response remains in effect.

**THE COMMISSION ORDERS THAT:**

1. No later than April 8, 2015, at 10:00 a.m., The Empire District Electric Company shall file a pleading responding to Earth Island Institute, d/b/a Renew Missouri's Motion to Compel Filing of Tariff Sheets. Any other party wishing to file a response may do so by that time.

2. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 6<sup>th</sup> day of April, 2015.