

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

In the Matter of a Proceeding Under Section)
393.137 (SB 564) to Adjust the Electric Rates of) Case No. ER-2018-03XX
The Empire District Electric Company)

MOTION TO OPEN AN ELECTRIC RATE CASE PROCEEDING

COMES NOW the Office of the Public Counsel and moves the Commission to open a case for proceeding under § 393.137, RSMo., which became effective on June 1, 2018, to prospectively adjust the electric rates of The Empire District Electric Company in Missouri to reflect the effects of the federal 2017 Tax Cut and Jobs Act, Pub. L. No. 115-97, 94 Stat. 2390, within 90 days (by August 30, 2018) “so that the income tax component of the revenue requirement used to set [Empire]'s rates is based upon the provisions of such federal act without considering any other factor as otherwise required by section 393.270,” and to require Empire “to defer to a regulatory asset the financial impact of such federal act on [it] for the period of January 1, 2018, through the date [Empire]'s rates are adjusted on a one-time basis as provided for in the immediately preceding sentence.”

In paragraph no. 1 on page 3 of its application filed on October 31, 2017, in Case No. EO-2018-0092, Empire admits that “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.”

Respectfully,

/s/ Nathan Williams

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 29th day of December 2017.

/s/ Nathan Williams