

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

In the Matter of The Empire District )  
Electric Company's Request for Authority )  
to File Tariffs Increasing Rates for Electric )  
Service Provided to Customers in its )  
Missouri Service Area )

**File No. ER-2019-0374**

**ORDER DIRECTING PUBLIC COUNSEL TO RESPOND**

Issue Date: December 20, 2019

Effective Date: December 20, 2019

On December 9, 2019, the Office of the Public Counsel (OPC) filed a motion to modify the test year to include adjustments for the retirement of Asbury. OPC asks the Commission to modify the ordered test year to include isolated adjustments for Asbury's retirement. In support of its motion, OPC notes that on August 9, 2019, The Empire District Electric Company (Empire) filed notice that it anticipated retiring Asbury near June 2020, but in November updated that date to before March 2020.

On December 19, 2019, Empire filed a response stating that OPC's motion was insufficiently definitive for Empire to respond adequately. Empire requested that the Commission order OPC to file a more definitive request about the isolated adjustments. Empire also asks for 20 days for it and other parties to respond to any OPC clarification. The Commission will order OPC to respond, and will allow time for responses to OPC's clarification.

**THE COMMISSION ORDERS THAT:**

1. The Office of the Public Counsel shall file a pleading no later than December 26, 2019, addressing the issues raised by Empire in its response to the Office of the

Public Counsel's request to modify the test year.

2. Any party wishing to respond to the Office of the Public Counsel's clarification shall file a response no later than January 3, 2020.

3. 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

John T. Clark, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 20<sup>th</sup> day of December, 2019.