

**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 THE COMMISSION'S STAFF AND THE EMPIRE
DISTRICT ELECTRIC COMPANY TO RESPOND**

Issue Date: July 15, 2020

Effective Date: July 15, 2020

On July 13, 2020, The Commission ordered its Staff to respond to Empire's clarification motion, which asserted the Riverton 12 O&M tracker expense amount was \$7,478,634 prior to application of jurisdictional allocations. Staff was directed to state what the correct tracker expense amount is and cite to where it is found in the record. Staff responded on July 15, 2020, that they agreed with Empire's assertion as to the amount for the tracker expense, but did not cite to where support for that amount is found in the record. The Commission will order Empire and Staff to specifically identify where in the record the \$7,478,634 Riverton 12 O&M expense amount is found, or acknowledge it is not in the record.

The Commission further ordered Staff to respond to OPC's supplement to The Office of the Public Counsel's Application for Rehearing regarding the excess accumulated deferred income taxes (ADIT) resulting from the federal 2017 Tax Cut and Jobs Act (TCJA), and cite to where in the record its amortization period for the excess ADIT amounts referred to on pages 54-55 of its Direct Report may be found. Staff responded that it considered this matter to have been determined by the Commission in its Report and Order in favor of Staff's recommended five-year amortization.

The stub period impact of \$11.7 million, which the Commission amortized over five years, is not the same as the excess ADIT amount. Staff's exhibit 124, Accounting Schedule 11, Lines 51 and 52 refer to the amortization of protected and unprotected excess ADIT. These amortized amounts indicate a much larger amount than the stub period amount \$11.7 million. Exhibit 750, the Global Stipulation, on page two identifies the balances of the protected and unprotected excess ADIT amounts as being \$101,146,004 and \$25,621,649, respectively as of March 31, 2019. The Commission will order its Staff to specifically identify where in the record the correct TCJA excess ADIT, protected and unprotected amounts are located, aside from the references in the Global Stipulation. Staff shall also identify where in the record the proposed amortization period for those amounts are located. Staff shall indicate if the TCJA excess ADIT protected or unprotected amounts or proposed amortization periods for such amounts are not in the record.

THE COMMISSION ORDERS THAT:

1. No later than July 17, 2020, Staff and Empire shall specifically identify where in the record the \$7,478,634 Riverton 12 O&M tracker expense amount is found or acknowledge if it is not in the record.

2. No later than July 17, 2020, Staff shall specifically identify the correct TCJA excess ADIT protected and unprotected amounts in the record and additionally identify where in the record the proposed amortization periods for those amounts are

contained. Staff will acknowledge for the Commission if the TCJA excess ADIT amounts or proposed amortization periods for such amounts are not in the record.

3. This order is 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 15th day of July, 2020.