

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 28<sup>th</sup> day of January, 2020.

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 DENYING PUBLIC COUNSEL'S MOTION TO MODIFY  
THE TEST YEAR, AND ORDER TO FILE SUGGESTIONS FOR  
INCLUSION IN AN ACCOUNTING AUTHORITY ORDER**

Issue Date: January 28, 2020

Effective Date: January 28, 2020

On December 18, 2019, the Office of the Public Counsel (OPC) filed a motion to modify the test year to include isolated adjustments for the Asbury coal-fired power plant (Asbury) retirement. OPC wants to account for Asbury's retirement in this rate case because The Empire District Electric Company (Empire) updated an informational notice to state that it was moving Asbury's retirement from no later than June 2020, to no later than March 2020. The current test year includes the twelve-month period ending March 31, 2019, updated to September 30, 2019, and trued-up for known and measurable information through January 31, 2020.

The Commission's Staff (Staff) filed a response to OPC's motion requesting that the Commission not modify the test year, but allow the submission of known and measurable changes in this rate case, with unknown unmeasurable changes to be included in an Accounting Authority Order (AAO) for consideration in a later rate case. Empire filed suggestions in opposition to OPC's motion stating that it would be filing

another rate case immediately after this one to address changes related to its acquisition of three wind farms, and that rate case would be the appropriate vehicle to address changes related to Asbury's retirement. However, Empire is not opposed to an AAO and proposed that an AAO address the impact of operation and maintenance expenses resulting from Asbury's retirement.

After considering the positions of the parties and examining the current procedural schedule, the Commission determines that OPC's motion to modify the test year should be denied. Asbury's retirement is best addressed in Empire's next rate proceeding. The parties will be ordered to submit a list of items to be included in an AAO to address the impacts resulting from Asbury's retirement.

**THE COMMISSION ORDERS THAT:**

1. The Office of the Public Counsel's motion to modify the test year is denied.
2. The parties will file a list of suggested items or categories to address impacts resulting from Asbury's retirement for inclusion in an Accounting Authority Order, no later than April 3, 2020.
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

Silvey, Chm., Kenney, Rupp, Coleman, and  
Holsman CC., concur.

Clark, Senior Regulatory Law Judge