## STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held at its office in Jefferson City on the 13<sup>th</sup> day of November, 2013.

In the Matter of The Empire District Electric Company
for Authority to Implement Rate Adjustments Related
to the Company's Fuel and Purchased Power Adjustment
Clause (FAC) Required by 4 CSR 240-20.090(4)

File No. ER-2014-0087
Tariff No. JE-2014-0155

## ORDER REGARDING FUEL ADJUSTMENT CLAUSE TARIFF

Issue Date: November 13, 2013 Effective Date: December 1, 2013

On October 1, 2013, The Empire District Electric Company ("Empire"), submitted an application and tariff designed to implement an adjustment to its Fuel and Purchased Power Adjustment Clause (FAC). In accordance with Empire's FAC, the proposed rate schedules are designed to recover from customers 95 percent of the company's net cost increases or decreases. Empire's requested adjustment would increase a typical residential customer's bill by approximately \$1.23 per month. Empire also submitted a true-up filing in File No. EO-2014-0088 to identify the net fuel costs it over-charged or under-charged customers during the 8<sup>th</sup> recovery period prescribed by its FAC, which amount was used when calculating the fuel adjustment rates in this case. No persons or entities have applied to intervene in this case.

The Commission's Staff filed a recommendation regarding Empire's tariff on October 31, 2013. Staff verified that Empire's actual fuel and purchased power costs match the fuel and purchased power costs included in the company's calculated rates set

in the submitted tariff. Staff advises the Commission to approve the tariff submitted by Empire to become effective on its December 1, 2013 effective date.

Staff has verified that Empire is not delinquent on any assessment and has filed its 2012 Annual Report. Empire is current on the filing of its Surveillance Monitoring reports as required in 4 CSR 240-20.090(10) and its monthly reports as required by 4 CSR 240-3.161(5). Staff is not aware of any other matter before the Commission that affects or is affected by this filing, except as noted herein. More than ten days have passed since Staff filed its recommendation, and no party has filed a response to that recommendation.<sup>1</sup>

The Commission's rule regarding FACs requires the Commission to issue an order approving or rejecting the company's tariff within 60 days of its filing.<sup>2</sup> If the FAC rate adjustment complies with the Commission's rule, Section 386.266, RSMo Supp. 2012, and the FAC mechanism established in the most recent general rate proceeding, the Commission is required to approve the rate adjustment or allow the proposed tariff implementing the adjustment go into effect by operation of law.<sup>3</sup>

The Commission has reviewed Empire's tariff filings and Staff's verified recommendation and memorandum, and finds that the tariff sheet implementing the FAC rate adjustment is in compliance with the Commission's order establishing the FAC and with all applicable statutes and regulations. Therefore, the Commission will approve Empire's proposed tariff.

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<sup>&</sup>lt;sup>1</sup> Commission Rule 4 CSR 240-2.080(13) allows parties not more than ten days from the date of filing to respond to any pleading unless otherwise ordered by the Commission.

<sup>&</sup>lt;sup>2</sup> Commission Rule CSR 240-20.090(4).

<sup>3</sup> IH

## THE COMMISSION ORDERS THAT:

1. The Empire District Electric Company 's tariff filing, assigned Tariff No. JE-2014-0155, is approved to be effective December 1, 2013, as an interim rate adjustment, subject to true-up and prudence reviews. The tariff approved is:

## P.S.C. Mo. No. 5 Section 4

3<sup>rd</sup> Revised Sheet No. 17e, Canceling 2<sup>nd</sup> Revised Sheet No. 17e

- 2. This order shall become effective on December 1, 2013.
- 3. This file shall be closed on December 2, 2013.



BY THE COMMISSION

Morris L. Woodruff Secretary

R. Kenney, Chm., Stoll, W. Kenney, and Hall, CC., concur.

Bushmann, Regulatory Law Judge