

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of The )  
Empire District Electric Company for a ) **File No. EA-2019-0010**  
Certificate of Convenience and Necessity )  
Related to its Customer Savings Plan )

## ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE, AND SETTING TIME FOR RESPONSES

Issue Date: October 24, 2018

Effective Date: October 24, 2018

On October 18, 2018, The Empire District Electric Company filed an application with the Commission seeking an order granting a Certificate of Convenience and Necessity (CCN) pursuant to section 393.170, RSMo 2016. The CCN would authorize Empire to acquire an interest two holding companies that own the companies that will be constructing and installing two wind projects – Kings Point and North Fork Ridge – each comprising approximately 150 megawatts of wind generation, as well as authorize Empire to own, operate, maintain, and otherwise control and manage the two wind projects. These projects would be constructed in Barton, Dade, Jasper, and Lawrence Counties in Missouri and are the result of a related proceeding before the Commission in File No. EO-2018-0092.

The Commission will provide notice of the application to the general public and interested parties and set a deadline for intervention requests. If no party requests a hearing, the Commission may determine that a hearing is not necessary for a determination of the application.<sup>1</sup>

Empire also filed a motion for a protective order under Commission rule 4 CSR

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<sup>1</sup> *State ex rel. Deffenderfer v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

240-2.135(3). The Commission will set a time for responses to the motion for a protective order.<sup>2</sup> Interested potential intervenors may file responses to the motion for a protective order without having been made parties to this proceeding.

The Missouri Energy Consumers Group filed an application to intervene on October 19, 2018, and Renew Missouri Advocates filed a motion to intervene on October 22, 2018. The Commission will direct responses to those requests to be filed as set out below.

On October 24, 2018, Empire, Staff, Public Counsel, the Missouri Energy Consumers Group, and Renew Missouri Advocates, filed a joint proposed procedural schedule which includes a date for the filing of testimony and an evidentiary hearing. The proposed procedural schedule also includes dates for several Technical/Settlement Conferences. The Commission encourages the parties and potential intervenors to meet as proposed pending the resolution of the request for a protective order and the granting of interventions. The Commission will also set a deadline for responses to the proposed procedural schedule.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall provide a copy of this order to the County Commissions of Barton, Dade, Jasper, and Lawrence Counties, Missouri.
2. The Commission's Public Policy and Outreach Department shall make notice of this order available to the members of the Missouri General Assembly representing Barton, Dade, Jasper, and Lawrence Counties, Missouri and to the media serving those counties.

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<sup>2</sup> Commission Rule 4 CSR 240-2.135(3)(B) provides that information designated as confidential in a motion for protective order may be treated as confidential while that motion is pending.

3. The Commission's data center shall provide a copy of this order to each party to Commission File No. EO-2018-0092.

4. The Commission's Data Center shall provide notice of this order and the application to each of the utilities listed in Schedule TNW-3 of the Direct Testimony of Timothy N. Wilson, as follows: Windstream Communications, ATT Distribution, Barton County Electric, Barton County CPWSD1, Craw-Kan Telephone, Magellan Midstream Partners, CenturyLink, CenturyLink Fiber, and Ozark Electric Cooperative.

5. Any person wishing to intervene in this matter shall file an application to intervene no later than November 6, 2018. The application shall be filed in the Commission's Electronic Filing and Information System (EFIS) or with the Secretary of the Commission.

6. Responses to the Motion for Protective Order shall be filed no later than November 6, 2018, and may be submitted by entities or persons not yet granted intervention.

7. Responses to the Proposed Procedural Schedule shall be filed no later than November 6, 2018.

8. Responses to the applications to intervene of the Missouri Energy Consumers Group and Renew Missouri Advocates shall be filed no later than November 1, 2018.

9. This order shall be effective when issued.



Nancy Dippell, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2016.

**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Dated at Jefferson City, Missouri,  
on this 17<sup>th</sup> day of October, 2018.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

**WITNESS** my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 24<sup>th</sup> day of October 2018.



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**October 24, 2018**

**File/Case No. EA-2019-0010**

**Missouri Public Service Commission**

Staff Counsel Department  
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staffcounsel@psc.mo.gov

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**CenturyLink (CenturyTel of Missouri)**

Legal Department  
100 CenturyLink Drive  
Monroe, LA 71203  
uswpuc@centurylink.com

**CenturyLink Communications, LLC**

Legal Department  
100 CenturyLink Drive  
Monroe, LA 71203

**City of Joplin, Missouri**

Legal Department  
602 S. Main  
Joplin, MO 64801

**County of Barton, Missouri**

County Commission Clerk  
1004 Gulf, Room 104  
Barton County Courthouse  
Lamar, MO 64759

**County of Dade, Missouri**

County Commission Clerk  
300 W Water St.  
Dade County Courthouse  
Greenfield, MO 65661

**County of Jasper, Missouri**

County Commission Clerk  
302 S Main St., Rm 102  
Jasper County Courthouse  
Carthage, MO 64836

**County of Lawrence, Missouri**

County Commission Clerk  
1 E Courthouse Sq., Ste. 101  
Lawrence County Courthouse  
Mt. Vernon, MO 65712

**Craw-Kan Telephone Cooperative, Inc.**

Legal Department  
200 N. Ozark  
P.O. Box 100  
Girard, KS 66743

**Dogwood Energy, LLC**

Legal Department  
P.O. Box 110  
25111 E 175th Street  
Pleasant Hill, MO 64080

**Empire District Electric Company, The**

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**Empire District Electric Company, The**

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**Midwest Energy Consumers Group**

Legal Department  
807 Winston Court  
Jefferson City, MO 65101

**Missouri Division of Energy**

Legal Department  
301 W. High St., Room 720  
P.O. Box 1766  
Jefferson City, MO 65102

**Missouri Public Service Commission**  
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**Ozark Electric Cooperative, Inc.**  
Legal Department  
Highway 39 N.  
P.O. Box 420  
Mt. Vernon, MO 65712

**Renew Missouri**  
Legal Department  
409 Vandiver Dr., Building 5, Suite 205  
Columbia, MO 65201

**Sierra Club**  
Legal Department  
2101 Webster St., Ste. 1300  
Oakland, CA 94612

**Union Electric Company**  
Legal Department  
1901 Chouteau Avenue  
P.O. Box 66149, Mail Code 1310  
St. Louis, MO 63166-6149  
AmerenMOService@ameren.com

**Windstream Communications, LLC**  
Legal Department  
4001 Rodney Parham Rd.  
Little Rock, AR 72212

**ATT Distribution  
c/o AT&T Missouri**  
101 West High Street  
Jefferson City, MO 65101

**Barton County CPWSD1**  
Legal Department  
1009 E. 11<sup>th</sup> Street  
Lamar, MO 64759

**Magellan Midstream Partners, L.P.**  
One Williams Center  
Tulsa, OK 74172

***Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).***

***Sincerely,***



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.