

## BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of The Empire District	)	
Electric Company for Authority to	)	
Implement Rate Adjustments Required by	)	Case No. EO-2009-0349
4 CSR 240-20.090(4) and the Company`s	)	Tariff No. YE-2009-0712
Approved Fuel Adjustment Clause (FAC).	)	

### **STAFF RECOMMENDATION TO APPROVE TARIFF SHEET**

Comes now the Staff of the Missouri Public Service Commission and for its recommendation states:

1. On April 1, 2009, The Empire District Electric Company (“Empire”) filed one (1) tariff sheet with the Commission bearing a proposed effective date of June 1, 2009. With the tariff sheet Empire proposes to revise the Cost Adjustment Factor (CAF) of its Fuel Adjustment Clause the Commission approved as part of its *Report and Order* in Case No. ER-2008-0093 from the initial CAF value of \$0.00000 to \$0.00081 per kilowatt hour. By means of this proposed change in the CAF Empire requests an increase in the revenues it bills through its fuel adjustment clause of \$1,916,797.

2. In the attached Memorandum (Appendix A), the Missouri Public Service Commission Energy Department Staff recommends that the Commission issue an Order that approves the following proposed tariff sheet, as filed on April 1, 2009, to become effective on June 1, 2009, as requested by Empire, subject to both true-up and prudence reviews:

**P.S.C. Mo. No. 5, Section 4**

1<sup>st</sup> Revised Sheet No. 17c Canceling Original Sheet No. 17c

3. The Staff has verified that Empire has filed its annual report and is not delinquent on any assessment. Staff is not aware of any other matter before the Commission that affects or is affected by this filing.

WHEREFORE, the Staff recommends that the Commission issue an order that both approves the following proposed tariff sheet, as filed on April 1, 2009, to become effective on the effective date requested, June 1, 2009:

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

1<sup>st</sup> Revised Sheet No. 17c Canceling Original Sheet No. 17c

Respectfully submitted,

/s/ Nathan Williams

Nathan Williams  
Deputy General Counsel  
Missouri Bar No. 35512

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Missouri Public Service Commission  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronically mailed to all counsel of record this 1<sup>st</sup> day of May 2009.

/s/ Nathan Williams

## MEMORANDUM

TO: Missouri Public Service Commission Official Case File  
Case No. EO-2009-0349, File No. YE-2009-0712  
The Empire District Electric Company

FROM: James Watkins, Manager, Economic Analysis, Project Coordinator  
David Roos, Regulatory Economist III  
Matthew Barnes, Utility Regulatory Auditor IV  
Mack McDuffey, Rate & Tariff Examiner II

/s/ Lena M. Mantle 4-30-09

Energy Department / Date

/s/ Samuel Ritchie 4-30-09

General Counsel's Office / Date

SUBJECT: Staff Recommendation for **Approval** of Tariff Sheet Filed to Increase Revenues  
Related to the Fuel Adjustment Clause (FAC) Pursuant to the Commission's Report  
and Order from Case No. ER-2008-0093

DATE: May 1, 2009

On April 1, 2009, The Empire District Electric Company (Empire or Company) of Joplin, Missouri, filed with the Commission one (1) tariff sheet bearing a proposed effective date of June 1, 2009 to revise the Cost Adjustment Factor (CAF) which has an initial value of \$0.00000. By means of the proposed tariff sheet Empire requests an increase in the revenues it bills through its fuel adjustment clause of \$1,916,797 for the Company by increasing the CAF from \$0.00000 to \$0.00081 per kilowatt hour.

The Commission's Energy Department Staff has reviewed the tariff sheet and the accompanying work papers and has determined that: 1) Empire's calculation satisfies the standards set forth in Schedule FAC's 1<sup>st</sup> Revised Sheet No. 17c; 2) Empire is current on its Surveillance Monitoring reports as required by 4 CSR 240-20.090(10); and 3) Empire timely filed its proposed tariff sheet 1<sup>st</sup> Revised Sheet No. 17c. Staff, therefore, recommends to the Commission that it issue an order approving the following proposed tariff sheet, as filed on April 1, 2009, to become effective on June 1, 2009, as requested by Empire, subject to both true-up and prudence reviews:

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

1<sup>st</sup> Revised Sheet No. 17c Canceling Original Sheet No. 17c

The Staff has verified that this Company is not delinquent on any assessment or the filing of its 2007 annual report. The Staff is not aware of any other matter pending before the Commission that affects or is affected by this tariff filing.

## **MEMORANDUM**

TO: Mack McDuffey

FROM: Matt Barnes, David Roos

SUBJECT: The Empire District Electric Company Tariff  
Tariff Filing No. YE-2009-0712, Case No. EO-2009-0349

DATE: April 13, 2009

On April 1, 2009 The Empire District Electric Company, (Empire) filed its revised fuel adjustment clause (FAC) tariff sheet for the six-month Accumulation Period ending February 28, 2009. Included in the current filing are the proposed tariff sheet no. 17c, the testimony of W. Scott Keith of Empire, and accompanying workpapers.

The procedure for the calculation of the Cost Adjustment Factor (CAF) is set out on Sheet 17b.

We have reviewed the provided numbers and mathematical calculations in the current tariff filing. The calculations satisfy the standards set forth within Schedule FAC, Sheets 17, 17a through 17c of Empire's tariff.

Empire is current on its submission of the 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).

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

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

Case No. EO-2009-0349

**AFFIDAVIT OF WILLIAM L. MCDUFFEY**

STATE OF MISSOURI            )  
  ) ss:  
COUNTY OF COLE            )

William L. McDuffey, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that he has participated in preparing the accompanying Staff Recommendation in Memorandum Form, and that the facts therein are true and correct to the best of his knowledge and belief.

  
WILLIAM L. MCDUFFEY

Subscribed and affirmed before me this 15<sup>th</sup> day of May 2009.



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
NOTARY PUBLIC