

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 19th day of May, 2021.

In the Matter of The Empire District Electric)
Company's Submission of Its Interim Report) **File No. EO-2012-0269**
Regarding Participation in the Southwest)
Power Pool, Inc.)

ORDER GRANTING MOTION FOR STAY

Issue Date: May 19, 2021

Effective Date: May 19, 2021

This case concerns The Empire District Electric Company d/b/a Liberty's (Empire's) continued membership in the Southwest Power Pool (SPP). On September 11, 2013, the Commission approved a stipulation and agreement that provided for Empire's continued participation in SPP through August 1, 2019. That stipulation and agreement contained provisions that required Empire to undertake a cost/benefit study and prepare an interim report aimed at determining whether Empire's participation in SPP should be approved beyond that date. In an order issued on March 1, 2017, the Commission extended that participation date until August 1, 2022. The 2017 order also required Empire to file a 2021 interim report containing a completed cost/benefit study regarding Empire's continued participate in SPP by April 30, 2021.

On April 29, 2021, Empire filed a motion asking the Commission to stay the requirement to file an interim report and cost/benefit study. That motion explains that a stay of the requirement is appropriate because the Commission has opened a working case (EW-2021-0104) to consider the continued membership of each of Missouri's investor-owned electric utilities in regional transmission organizations. The Commission's Staff has been directed to file a report in that working case by June 30, 2021. Empire

contends the requirement that it prepare and file an interim report and cost/benefit study should be stayed until after Staff files its report in the working case.

More than ten days have passed since Empire filed its motion and no party has responded to that motion. Therefore, the Commission will consider the motion to be unopposed.¹

Having considered the unopposed motion, the Commission determines that a stay of Empire's obligation to file an interim report and cost/benefit study is appropriate. The Commission will grant a stay of Empire's obligation to file an interim report and cost/benefit study. Because the Commission's interim and conditional approval of Empire's membership in the SPP does not expire until August 1, 2022, the Commission will not grant a further extension of that approval at this time.

THE COMMISSION ORDERS THAT:

1. Empire's obligation to file an interim report and cost/benefit study regarding its continued membership in SPP is stayed until further order of the Commission.
2. This order shall be effective when issued.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, and
Holsman, CC., concur.
Kolkmeier, C., abstains.

Woodruff, Chief Regulatory Law Judge

¹ Commission Rule 20 CSR 4240-2.080(13) allows parties ten days in which to respond to any pleading, unless otherwise ordered by the Commission.