

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 1<sup>st</sup> day of March, 2017.

In the Matter of The Empire District Electric )  
Company's Submission of its Interim Report )  
Regarding Participation in the Southwest )  
Power Pool, Inc. )

**File No. EO-2012-0269**

**ORDER MODIFYING STIPULATION AND AGREEMENT**

Issue Date: March 1, 2017

Effective Date: March 11, 2017

This case concerns The Empire District Electric Company's continued membership in the Southwest Power Pool. 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.

On February 15, 2017, Empire, the Commission's Staff, and the Office of the Public Counsel filed a joint motion asking the Commission to modify the 2013 stipulation and agreement. The movants explain that it is apparent that it would be very costly for Empire to withdraw from SPP at this time, and that a cost/benefit study, which would be costly to produce, is not needed to establish that fact. The joint motion asks that the Commission delay the production of the interim report for three years, and extend Empire's authorization to participate in SPP for the same three-year period.

Upon receiving the joint motion, the Commission ordered that any party wishing to respond to the joint motion do so no later than February 24. No one has responded to the motion.

Having considered the unopposed motion, the Commission determines that a three-year extension of Empire's authority to participate in SPP is appropriate.<sup>1</sup> The Commission will grant the joint motion. Because the motion is unopposed, the Commission will make this order effective in ten days.

**THE COMMISSION ORDERS THAT:**

1. The Empire District Electric Company is relieved of its obligation to perform the cost/benefit study associated with the 2018 Interim Report, and is relieved of its obligation to produce the 2018 Interim Report otherwise required by Section II.E(4) of the Stipulation and Agreement.

2. The interim and conditional approval of The Empire District Electric Company's membership in the Southwest Power Pool, described in Section II.A(1) of the Stipulation and Agreement, is extended by three years to August 1, 2022. All other dates associated with the Interim Report and Interim Approval are also extended by three years.

3. The Empire District Electric Company shall file a 2021 Interim Report, containing a completed cost/benefit study and its case for whether to continue to participate in the Southwest Power Pool by April 30, 2021.

4. Assuming that The Empire District Electric Company has not earlier requested withdrawal from continued participation in the Southwest Power Pool, or that withdrawal from continued participation in the Southwest Power Pool has not otherwise

---

<sup>1</sup> This does not prevent the Commission from ordering Empire to conduct the cost/benefit study regarding its continued participation in SPP before the extended deadline if, at any time, circumstances warrant taking such action.

occurred, The Empire District Electric Company shall contact and meet with Staff and Public Counsel should an event occur in the Southwest Power Pool footprint that The Empire District Electric Company believes significantly affects the company's position within the Southwest Power Pool.

5. This order shall become effective on March 11, 2017.

**BY THE COMMISSION**



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

Morris L. Woodruff  
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and  
Coleman, CC., concur.

Woodruff, Chief Regulatory Law Judge

**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 1<sup>st</sup> day of March 2017.



  
Morris L. Woodruff  
Secretary

**MISSOURI PUBLIC SERVICE COMMISSION**

**March 1, 2017**

**File/Case No. EO-2012-0269**

**Missouri Public Service Commission**  
Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**  
Hampton Williams  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opcservice@ded.mo.gov

**Dogwood Energy, LLC**  
Carl J Lumley  
130 S. Bemiston, Ste. 200  
St. Louis, MO 63105  
clumley@lawfirmemail.com

**Empire District Electric Company, The**  
Diana C Carter  
312 E. Capitol Avenue  
P.O. Box 456  
Jefferson City, MO 65102  
DCarter@brydonlaw.com

**Empire District Electric Company, The**  
Dean L Cooper  
312 East Capitol  
P.O. Box 456  
Jefferson City, MO 65102  
dcooper@brydonlaw.com

**Kansas City Power & Light Company**  
James M Fischer  
101 Madison Street, Suite 400  
Jefferson City, MO 35101  
jfischerpc@aol.com

**Kansas City Power & Light Company**  
Roger W Steiner  
1200 Main Street, 19th Floor  
P.O. Box 418679  
Kansas City, MO 64105-9679  
roger.steiner@kcpl.com

**KCP&L Greater Missouri Operations Company**  
James M Fischer  
101 Madison Street, Suite 400  
Jefferson City, MO 35101  
jfischerpc@aol.com

**KCP&L Greater Missouri Operations Company**  
Roger W Steiner  
1200 Main Street, 19th Floor  
P.O. Box 418679  
Kansas City, MO 64105-9679  
roger.steiner@kcpl.com

**Missouri Public Service Commission**  
Steve Dottheim  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
steve.dottheim@psc.mo.gov

**Southwest Power Pool, Inc.**  
Mark W Comley  
601 Monroe Street., Suite 301  
Jefferson City, MO 65102-0537  
comleym@ncrpc.com

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

**Sincerely,**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, prominent initial "M".

**Morris L. Woodruff  
Secretary**

---

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