

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 11th day
of September, 2013.

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 GRANTING MOTION FOR
APPROVAL OF UNANIMOUS STIPULATION AND AGREEMENT**

Issue Date: September 11, 2013

Effective Date: October 11, 2013

Background

On February 3, 2012, the Empire District Electric Company submitted an interim report regarding its participation in the Southwest Power Pool (SPP). In that report, the company requested that the Commission approve continued participation in the SPP beyond January 31, 2014. The Commission issued notice and granted applications to intervene to: The Southwest Power Pool, Inc.; Dogwood Energy, LLC; KCP&L Greater Missouri Operations Company; and, Kansas City Power & Light Company.

On August 28, 2013, Empire, on behalf of the signatories¹, filed a Motion for Approval of Stipulation and Agreement. Although KCP&L Greater Missouri Operations Company and Kansas City Power & Light are not signatories, Empire states that they do not oppose the agreement.

¹ Empire, the Staff of the Commission, the Office of the Public Counsel, the Southwest Power Pool, Inc. and Dogwood Energy, LLC.

The Stipulation and Agreement

The signatories agree that Empire's continued participation in the SPP is not detrimental to the public interest, is prudent and reasonable and should be continued on an interim basis from the date of this order through August 1, 2019.

Generally, the parties agree on: Empire's responsibility regarding cost incurred by the SPP; Empire's continued participation in the SPP; Empire's filing of reports with this Commission; the conditions under which Empire may withdraw from the SPP; and, the conditions for extension of the interim participation.

Discussion

Because this file is being disposed of by stipulation and agreement, the Commission need not make findings of fact or conclusions of law.² However, the Commission independently finds that the Stipulation and Agreement is consistent with the public interest and that Empire's continued participation in the SPP is prudent and reasonable. Having so found, the Commission will approve the agreement, which is attached to this order. Under Commission rules³, because no party objected to the agreement within 7 days, the Commission will treat the agreement as unanimous.

THE COMMISSION ORDERS THAT:

1. The Motion for Approval of Stipulation and Agreement is granted.
2. The Stipulation and Agreement is approved and the provisions set out therein are incorporated into this order.
3. The parties shall comply with the terms of the Stipulation and Agreement.

² Section 536.090, RSMo.

³ Commission rule 4 CSR 240-2.115(2)(B) and (C).

4. This order shall become effective on October 11, 2013.
5. This file shall be closed on October 12, 2013.



BY THE COMMISSION

Morris L. Woodruff

Morris L. Woodruff
Secretary

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

Jones, Senior Regulatory Law Judge