

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 26th day of
November, 2013.

In The Matter of a Determination of Special)
Contemporary Resource Planning Issues to be)
Addressed by The Empire District Electric)
Company in its Next Triennial Compliance)
Filing or Next Annual Update Report)

File No. EO-2014-0063

**ORDER DENYING REQUEST FOR RECONSIDERATION, BUT
OFFERING FURTHER CLARIFICATION**

Issue Date: November 26, 2013

Effective Date: November 26, 2013

On October 23, 2013, the Commission issued an order establishing special contemporary resource planning issues for The Empire District Electric Company, pursuant to a provision in the Missouri Public Services Commission's revised electric utility resource planning rule, 4 CSR 240-22.080(4). That order became effective on November 1. On October 31, Empire filed a timely motion asking the Commission to reconsider or clarify each aspect of its order. The Commission's Staff filed a response to Empire's motion on November 8.

Section 4 CSR 240-2.160 of the Commission's rules allows a party to file a motion asking the Commission to reconsider one of its orders. The Commission will deny Empire's request that the Commission reconsider its October 23 order, but will further explain that order.

In general, Empire is concerned that the Commission's order requires it to reexamine as special contemporary issues the issues it has already examined in its 2013 triennial IRP filing. The Commission and interested stakeholders are still considering that filing and Empire asks whether it should assume that the Commission has found its triennial filing to be deficient and asks what it should do differently in its 2014 annual update filing. Empire also asks the Commission to reconsider its order because it believes a reexamination of the issues it has already examined in its triennial IRP filing would be a waste of time and resources.

Empire need not assume that the Commission has found its 2013 triennial IRP filing to be deficient to once again address these issues in its 2014 annual update filing. The Commission appreciates Empire's concerns about wasting time and resources. That was not the Commission's intent in requiring Empire to again address these special contemporary issues. The Commission believes the special contemporary issues it has directed Empire, and Missouri's other investor-owned electric utilities, to address will lead those utilities to produce important and useful information. That is, after all, the reason the Commission requires electric utilities to undertake integrated resource planning. However, the Commission does not want Empire to needlessly duplicate its efforts. If it believes that it has already adequately addressed any of the identified special contemporary issues in an earlier filing, Empire need only establish that fact in its 2014 annual update filing to comply with the Commission's directions.

Empire also seeks specific clarification about certain issues identified by the Commission. First, issues (d) and (e) require Empire to describe its plans to replace the Ventyx Midas software model. The Commission required all the investor-owned electric

utilities to address that question because of Staff's concern that the model might no longer be available. Empire indicates it has no plans to replace that software model. If that is Empire's plan, then all it needs to do to comply with the Commission's order is to repeat that statement in its 2014 annual update filing.

Second, Empire seeks clarification regarding issues (g) and (i). Both issues end with the phrase "to the extent not already included in the 2014 IRP filing." Empire asks whether it is correct to assume that it is required to examine these issues only to the extent it is not already doing so in its next annual update report. The Commission confirms that Empire's understanding of its obligation to examine the issues is correct.

Third, Empire seeks clarification regarding issue (h). That issue requires Empire to analyze and document the future capital and operating costs faced by each Empire coal-fired generating unit to comply with eleven different environmental standards. Empire asks whether the Commission is requiring it to document the cost to comply with each of the eleven environmental standards separately. Empire explains that all of its air quality control projects are designed to satisfy multiple environmental standards at once. The Commission is interested in the cost associated with compliance by each coal-fired generating unit with the eleven environmental standards in total. Empire does not need to separately breakdown the cost to comply with each of the eleven environmental standards.

THE COMMISSION ORDERS THAT:

1. The Empire District Electric Company's Motion for Reconsideration is denied.
2. The Commission's Order Establishing Special Contemporary Resource Planning Issues is further explained as indicated in the body of this order.

3. This order shall become effective upon issuance.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

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

Woodruff, Chief Regulatory Law Judge