

Exhibit No.:
Issue: Demand-Side Management Tariffs
Witness: Nathaniel W. Hackney
Type of Exhibit: Rebuttal Testimony
Sponsoring Party: Empire District Electric
Case No. ER-2016-0023
Date Testimony Prepared: April 2016

**Before the Public Service Commission
of the State of Missouri**

Rebuttal Testimony

of

Nathaniel W. Hackney

April 2016



SERVICES YOU COUNT ON

Empire Exhibit No. 5
Date 6-2-16 Reporter KKF
File No. ER-2016-0023



REBUTTAL TESTIMONY
OF
NATHANIEL W. HACKNEY
THE EMPIRE DISTRICT ELECTRIC COMPANY
BEFORE THE
MISSOURI PUBLIC SERVICE COMMISSION
CASE NO. ER-2016-0023

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Nathaniel W. Hackney, and my business address is 602 S. Joplin Avenue,
3 Joplin, Missouri.

4 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5 A. I am presently employed by The Empire District Electric Company (“Empire” or the
6 “Company”) as the Energy Efficiency Coordinator.

7 **Q. ARE YOU THE SAME NATHANIEL W. HACKNEY THAT EARLIER PREPARED**
8 **AND FILED DIRECT TESTIMONY IN THIS RATE CASE BEFORE THE**
9 **MISSOURI PUBLIC SERVICE COMMISSION (“COMMISSION”) ON BEHALF**
10 **OF EMPIRE?**

11 A. Yes.

12 **Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?**

13 A. In my rebuttal testimony, I will comment on the alleged inaccuracies in the language of Empire’s
14 current Demand Side Management (“DSM”) program tariffs, first addressed by Staff witness Mr.
15 Brad J. Fortson in Staff’s *Revenue Requirement Report*¹, and then cited in the Direct Testimony of

¹ MPSC Case No. ER-2016-0023, *Staff Report - Revenue Requirement*, pages 109-110, filed March 25, 2016.

1 Missouri Department of Economic Development – Division of Energy (“DE”) witness Mr. Martin
2 R. Hyman².

3 **Q. ARE THERE OTHER COMPANY WITNESSES THAT ADDRESS ISSUES**
4 **RELATED TO EMPIRE’S DSM PROGRAMS?**

5 A. Yes. For additional information related to Empire’s DSM programs, please see the rebuttal
6 testimony of Empire witness W. Scott Keith.

7 **Q. PLEASE DISCUSS STAFF WITNESS FORTSON’S CONCERNS WITH EMPIRE’S**
8 **DSM TARIFFS.**

9 A. Mr. Fortson asserts that, “Staff found numerous instances of outdated and incorrect
10 information within Empire’s DSM programs tariff sheets³”. Mr. Fortson then cites four
11 examples of text that he says are no longer accurate or applicable to Empire’s current DSM
12 offerings.

13 **Q. DID DE WITNESS HYMAN ALLEGE ANY ADDITIONAL SPECIFIC**
14 **INACCURACIES IN EMPIRE’S DSM TARIFFS?**

15 A. No. Mr. Hyman offered agreement with and supported Staff’s recommendation that Empire
16 be required to change the specific language in its DSM tariffs that was addressed by Staff
17 witness Fortson in Staff’s Revenue Requirement Report.

18 **Q. IS EMPIRE WILLING TO WORK WITH THE PARTIES TO UPDATE THE**
19 **LANGUAGE IN THE COMPANY’S DSM TARIFFS?**

20 A. Yes, Empire is willing to work with Staff, DE, and the other parties in this case to discuss
21 and consider proposed changes to correct any alleged inaccuracies in its DSM tariff
22 language.

² MPSC Case No. ER-2016-0023, *Direct Testimony of Martin R. Hyman, filed April 8, 2016.*

³ MPSC Case No. ER-2016-0023, *Staff Report - Revenue Requirement, pages 109, lines 21-26, filed March 25, 2016.*

1 Q. WAS EMPIRE ORDERED TO CHANGE THIS LANGUAGE AS PART OF THE
2 COMMISSION-APPROVED REVISED STIPULATION AND AGREEMENT⁴ IN
3 CASE NO. ER-2014-0351?

4 A. No.

5 Q. WAS EMPIRE ORDERED TO CHANGE THIS TARIFF LANGUAGE AS PART OF
6 AN AGREEMENT OR COMMISSION ORDER IN ANY OTHER CASE?

7 A. I have not seen any such agreement in my review of previous cases.

8 Q. DO YOU BELIEVE THE ALLEGED INACCURACIES HAVE NEGATIVELY
9 AFFECTED EMPIRE'S IMPLEMENTATION OF ITS DSM PROGRAMS TO
10 DATE?

11 A. No. The DSM tariff language addressed by Staff witness Fortson and DE witness Hyman
12 has had no negative effect, and Empire has been able to successfully implement and deliver
13 its DSM portfolio.

14 Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?

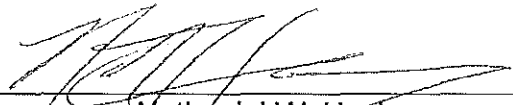
15 A. Yes.

⁴ MPSC Case No. ER-2014-0351, *Revised Stipulation and Agreement and List of Issues, June 24, 2015.*

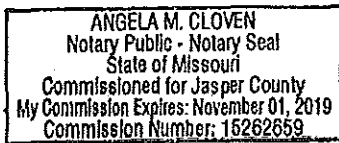
AFFIDAVIT OF NATHANIEL W. HACKNEY

STATE OF MISSOURI)
) ss
COUNTY OF JASPER)

On the 26th day of April, 2016, before me appeared Nathaniel W. Hackney, to me personally known, who, being by me first duly sworn, states that he is the Energy Efficiency Coordinator of The Empire District Electric Company and acknowledges that he has read the above and foregoing document and believes that the statements therein are true and correct to the best of his information, knowledge and belief.


Nathaniel W. Hackney

Subscribed and sworn to before me this 26th day of April, 2016.




Notary Public

My commission expires: 11/01/19.