

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of The Empire District Electric	)	
Company's Application for Approval of	)	
Demand-Side Programs and for Authority to	)	<b><u>File No. EO-2014-0030</u></b>
Establish a Demand-Side Programs	)	
Investment Mechanism	)	

**MOTION TO SUSPEND PROCEDURAL SCHEDULE**

**COME NOW** The Empire District Electric Company ("Empire"), Staff of the Missouri Public Service Commission ("Staff"), Office of the Public Counsel ("OPC") and Sierra Club (all known herein as the "Signatories"), by and through the undersigned counsel, and hereby file this Motion with the Missouri Public Service Commission ("Commission") to state as follows:

1. On October 29, 2013, Empire filed an *Application* for Commission approval of a demand-side management ("DSM") program plan and a demand side management investment mechanism ("DSIM") pursuant to Section 393.1075, RSMo known as the Missouri Energy Efficiency Investment Act ("MEEIA") and the Commission's MEEIA Rules: 4 CSR 240-3.163, 4 CSR 240-3.164, 4 CSR 240-20.093 and 4 CSR 240-20.094.

2. On December 12, 2013, the Commission issued its *Order Amending Procedural Schedule* that provided the procedural schedule that is now in effect, as well as granting a variance from Rule 4 CSR 240-20.094(3) that requires the Commission to rule on the *Application* within 120 days.

3. Since the prehearing conference on November 26, 2013, the parties to this case have participated in several technical conferences and other discussions.

These discussions have been helpful and productive. However, additional time is necessary to complete additional analysis and to determine the most appropriate procedure based upon that analysis.

4. The Signatories hereby recommend the Commission suspend the procedural schedule to allow time for the additional analysis and settlement discussions to occur.

5. The parties to this case intend to continue the technical conferences at times agreeable to all parties to allow additional analysis and discussions to continue for the timely processing of this case.

6. The circumstances in this case are not unlike those in the KCP&L Greater Missouri Operations Company's ("GMO") MEEIA case in File No. EO-2012-0009, in which a similar motion to suspend the procedural schedule was made by GMO and granted by the Commission.

7. Should the Commission grant this Motion, Staff will file a status report for the Commission's information and consideration within sixty (60) days of the effective date of the Commission's Order suspending the procedural schedule.

8. GMO, Kansas City Power & Light Company, Union Electric Company d/b/a Ameren Missouri, the Missouri Department of Economic Development—Division of Energy and Earth Island Institute d/b/a Renew Missouri have indicated they do not oppose this Motion and have authorized the Signatories to state such.

**WHEREFORE**, the Signatories file this Motion and request the Commission issue an Order to suspend the procedural schedule as described herein.

Respectfully submitted,

<p><b><u>/s/ Jennifer Hernandez</u></b> Jennifer Hernandez Senior Staff Counsel Missouri Bar No. 59814</p> <p>Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102 Phone (573) 751-8706 Facsimile (573) 751-9285 <a href="mailto:jennifer.hernandez@psc.mo.gov">jennifer.hernandez@psc.mo.gov</a></p> <p>Attorney for the Staff of the Missouri Public Service Commission</p>	<p><b><u>/s/ Diana C. Carter</u></b> Diana C. Carter MBE#50527</p> <p>Brydon, Swearengen &amp; England PC 312 East Capitol Avenue P.O. Box 456 Jefferson City, MO 65102 Telephone: (573) 635-7166 Facsimile (573) 634-7431 E-mail: <a href="mailto:DCarter@BrydonLaw.com">DCarter@BrydonLaw.com</a></p> <p>Attorney for The Empire District Electric Company</p>
<p><b><u>/s/ Lewis R. Mills, Jr.</u></b> Lewis R. Mills, Jr. (#35275)</p> <p>Public Counsel P.O. Box 2230 Jefferson City, MO 65102 (573) 751-1304 (573) 751-5562 Fax <a href="mailto:lewis.mills@ded.mo.gov">lewis.mills@ded.mo.gov</a></p> <p>Attorney for Office of the Public Counsel</p>	<p><b><u>/s/ Henry B. Robertson</u></b> Henry B. Robertson (Mo. Bar No. 29502)</p> <p>Great Rivers Environmental Law Center 705 Olive Street, Suite 614 St. Louis, Missouri 63101 Phone: (314) 231-4181 Fax: (314) 231-4184 <a href="mailto:hrobertson@greatriverslaw.org">hrobertson@greatriverslaw.org</a></p> <p>Attorney for the Sierra Club</p>

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 14<sup>th</sup> day of January 2014, to all counsel of record in this proceeding.

**/s/Jennifer Hernandez**