

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

In the Matter of Staff's Audit of The Empire     )  
District Electric Company's Expenditures     )  
Related to the Asbury Environmental Retrofit     )  
Project.     )

**Case No. EO-2014-0040**

**AGREEMENT REGARDING DISCOVERY PROCEDURES**

**COME NOW** the Staff of the Missouri Public Service Commission ("Staff"), The Empire District Electric Company ("Empire"), and the Public Counsel, (individually, "Party," and collectively, "Parties") and state that the Parties agree to comply with the following procedures:

1. Each Party serving a Data Request on another Party shall provide an electronic copy of the text of the "description" of that Data Request to counsel for all other Parties contemporaneously with service of the Data Request.

2. If the Data Request "description" contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that Data Request shall be considered a sufficient copy.

3. Data Requests served after 5:00 p.m. shall be considered served on the next business day.

4. Data Requests, objections to Data Requests, and notifications respecting the need for additional time to respond to Data Requests shall be sent by e-mail to counsel for all Parties.

5. Counsel may designate other personnel to be added to the service list for Data Requests, but shall assume responsibility for compliance with any restrictions on confidentiality.

6. Data Request responses shall be submitted in EFIS.
7. If EFIS is not capable of accepting submission of a given response to a Data Request, that response shall be submitted to Staff Counsel and the Public Counsel in electronic format on compact disc, or by other means agreed to by Staff Counsel and the Public Counsel.
8. If either highly confidential or proprietary information must be included in Data Request questions, the parties shall follow Commission Rule 4 CSR 240-2.135 for properly designating such information.
9. Where Data Request responses include models, spreadsheets, or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, the Party providing the responses shall provide such information in original format with formulas intact, if available.

**WHEREFORE**, the Parties state that they agree to comply with the above-stated procedures.

Respectfully submitted,

**/s/ Kevin A. Thompson**

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**/s/ Dean Cooper**

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**/s/ Lewis R. Mills, Jr.**

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 17<sup>th</sup> day of October, 2013.

**/s/ Sarah Kliethermes**