

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 20th day of
March, 2013.

In the Matter of The Empire District Electric)
Company's 2013 Utility Resource Filing)
Pursuant to 4 CSR 240-22)

File No. EO-2013-0405

ORDER GRANTING WAIVER AND EXTENSION OF TIME

Issue Date: March 20, 2013

Effective Date: March 20, 2013

On February 28, 2013, The Empire District Electric Company ("Empire") filed with the Missouri Public Service Commission ("Commission") an *Application for Waiver/Extension* requesting that the Commission grant it a waiver of Commission Rules 4 CSR 240-22.080(1) and 4 CSR 240-22.080(5)(A) and an extension of the date for filing its 2013 Integrated Resource Plan (IRP) until July 1, 2013. The Commission provided notice of the application to all parties to Empire's most recent triennial IRP compliance case, EO-2011-0066. The Commission also ordered that any party wishing to respond to Empire's *Application for Waiver/Extension* do so no later than March 11, 2013. No party filed a response to the application.

Empire states in its application that it made a presentation to its stakeholders on December 18, 2012 in regard to Empire's 2013 Integrated Resource Plan, which is due to be filed with the Commission on April 1, 2013. The stakeholders notified Empire that the information presented was not sufficient to meet the requirements of Commission Rule 4 CSR 240-22.080(5)(A) and suggested that Empire seek an extension of time from the

Commission to revise that information. Empire proposes a schedule of filings with the stakeholders in its application that would result in Empire's IRP being filed with the Commission no later than July 1, 2013. Empire also proposes to conduct further evaluation of supply-side resources as suggested by Dogwood Energy.

Commission Rule 4 CSR 240-22.080(15) provides that "[t]he Commission may extend or reduce any of the time periods specified in this rule for good cause shown". Good cause is a good faith request for reasonable relief.¹ Empire states that good cause exists because even if the extension of time is granted, it will still file its IRP less than three years since its last IRP filing, and granting the extension will allow Empire to provide important information prior to its integrated resource analysis and risk analysis. Empire represents that the Commission's Staff, the Office of Public Counsel, and Dogwood Energy support the application and that the Missouri Department of Natural Resources does not oppose it. The Commission finds that good cause exists to grant the application.

THE COMMISSION ORDERS THAT:

1. The Empire District Electric Company's request for a waiver of Commission Rules 4 CSR 240-22.080(1) and 4 CSR 240-22.080(5)(A), as described in its *Application for Waiver/Extension*, is granted. The Empire District Electric Company shall comply with the proposed schedule described in its application.

2. The deadline for The Empire District Electric Company to file its 2013 Integrated Resource Plan is extended until no later than July 1, 2013.

¹ *American Family Ins. Co. v. Hilden*, 936 S.W.2d 207 (Mo. App., W.D. 1996).

3. This order shall become effective on March 20, 2013.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Shelley Brueggemann".

Shelley Brueggemann
Acting Secretary

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

Bushmann, Regulatory Law Judge