

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

In the Matter of The Empire District)	
Electric Company's Request for)	
Authority to File Tariffs Increasing)	Case No. ER-2019-0374
Rates for Electric Service Provided)	
To Customers in its Missouri)	
Service Area)	

PROGRESS REPORT AND REQUEST FOR EXTENSION OF FILING DATES

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, on behalf of all parties to this proceeding, and for its *Progress Report and Request for Extension of Filing Dates* in this matter hereby states:

1. The Joint Procedural Schedule ordered by the Commission on October 17, 2019, presently requires the filing of a List of Issues, Order of Witnesses and Order of Cross-Examination by April 3, 2020. The Regulatory Law Judge for this matter also asked the parties to file a progress report regarding the evidentiary hearing currently scheduled for April 14-17 and 20-22, no later than April 3.

2. The parties are diligently discussing settlement options and intend to continue with such actions. However, there are still negotiations that must occur prior to reaching any type of settlement in this matter. Additionally, the Covid-19 outbreak has upset the normal work environment of all parties and has led to the closure of the Governor's Office Building until April 13, 2020, maybe longer.

3. To that end, the parties agree to waive cross examination of all witnesses and would ask the Commission to cancel the evidentiary hearing and decide all issues on the record. Each party will offer for admission the pre-filed testimony of its witnesses, with attached errata sheets to address any corrections to testimony. The parties will also at

that time offer any other documents or testimony responsive to new positions raised in surrebuttal into the record. All other parties may object to those offers.

4. Furthermore, the Commission previously held:

Asbury's retirement is best addressed in Empire's next rate proceeding. The parties will be ordered to submit a list of items to be included in an AAO to address the impacts resulting from Asbury's retirement.

The Commission will not modify the test year, nor allow isolated adjustments for Asbury's retirement to be addressed in this general rate proceeding. The Commission will address the impacts of Asbury's retirement in Empire's next rate proceeding, . . .

If a party objects to something offered for admission, which is based on these holdings of the Commission, and the Commission overrules that objection, the Company shall be granted leave to file additional evidence. Other parties shall have an opportunity to file evidence in response to any additional evidence the Company files. If the Commission sustains objections which are based on these holdings of the Commission, then the offered documents may be included in the record as an offer of proof of what the evidence would have been without the objection.

5. The parties would also request that the Commission permit the parties to move the filing dates for the List of Issues and Final Reconciliation, as set out below. An Order of Witnesses and Order of Cross-Examination would no longer be needed if the Commission grants the parties' request to cancel the evidentiary hearing and rule on the issues based on the record. The parties propose the following for additional processing of the case:

April 8, 2020 List of Issues

April 9, 2020 Final day to issue data requests, request discovery, and/or
conduct depositions

April 10, 2020	Final Reconciliation
April 17, 2020	Offers of Evidence
April 27, 2020	Initial Briefs and Objections to Offers
May 4, 2020	Responsive Briefs
May 11, 2020	Reply Briefs and Proposed Findings of Fact and Conclusions of Law (optional)
July 11, 2020	Effective Date of Rates

WHEREFORE, Staff prays that the Commission will accept the parties' *Progress Report and Request*; cancel the evidentiary hearing; permit the extension of the filing date for the List of Issues to April 8, 2020; permit the extension of the filing date for the Final Reconciliation to April 10, 2020; permit the filing of all exhibits or evidence no later than April 17, 2020; permit the filing of Initial Briefs and Objections to the exhibits and evidence offered by the other parties no later than April 27; permit the filing of any exhibit or evidence objected to and sustained as an offer of proof; permit the filing of Responsive Briefs no later than May 4, 2020; permit the filing of Reply Briefs and Proposed Findings of Fact and Conclusions of Law no later than May 11, 2020; and grant such other and further relief as the Commission considers just in the circumstances.

/s/ Whitney Payne
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 3rd day of April, 2020, to all counsel of record.

/s/Whitney Payne