

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

In the Matter of a Determination of Special)	
Contemporary Resource Planning Issues to be)	
Addressed by The Empire District Electric)	File No. EO-2014-0063
Company in its Next Triennial Compliance)	
Filing or Next Annual Update Report)	

EMPIRE’S MOTION FOR RECONSIDERATION AND CLARIFICATION

COMES NOW The Empire District Electric Company (“Empire” or “Company”), by and through the undersigned counsel, and for its Motion for Reconsideration and Clarification regarding the *Order Establishing Special Contemporary Resource Planning Issues* issued herein on October 23, 2013, to be effective November 1, 2013 (the “Order”), respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. This file was opened by the Commission on September 6, 2013, to facilitate the process established by 4 CSR 240-22.080(4) regarding “evolving electric resource planning issues,” also known as “special contemporary issues.” On September 13, 2013, the Missouri Department of Economic Development – Division of Energy (“Division of Energy”) filed its suggested special contemporary issues list for Empire, as did the Staff of the Commission (“Staff”). On October 1, 2013, Empire submitted its comments and objections to the issues suggested by Staff and the Division of Energy (“Empire’s Response”). On October 23, 2013, the Commission issued its Order specifying the list of special contemporary issues to be addressed by Empire. In its Order, the Commission stated it was adopting the specified list of special contemporary issues, but that the Commission would relieve Empire of the obligation to comply with an issue upon a showing that the costs of compliance would greatly outweigh the benefits of compliance.

2. Empire seeks clarification regarding issues (a), (b), (c), and (f) in the Order. Pursuant to the Commission's rule, the purpose of the special contemporary issues list is only to: (1) identify new and evolving issues to be analyzed and documented in the utility's next IRP filing; or, (2) identify unresolved deficiencies or concerns from the preceding triennial compliance filing to be analyzed and documented in the utility's next IRP filing. Issues (a), (b), and (c) in the Order expressly direct Empire to further analyze and document items from its most recent triennial compliance filing (submitted on July 1, 2013 in File No. EO-2013-0547) (the "2013 IRP"). Issue (f) was also addressed by Empire in its 2013 IRP. Empire's 2013 IRP is still under review, and Empire has not yet received stakeholder responses. As such, Empire reads issues (a), (b), (c), and (f) to direct Empire to address yet unspecified deficiencies or concerns. Empire seeks clarification from the Commission as to how Empire's 2013 IRP was deficient with regard to these four items and regarding how Empire's discussion of these items in its upcoming annual update report should differ from Empire's discussion of these items in its recently filed 2013 IRP.

3. Empire also seeks reconsideration regarding issues (a), (b), (c), (f), and (j). Empire described and analyzed its demand-side resource analysis process in its 2013 IRP (its triennial compliance filing made on July 1, 2013 in File No. EO-2013-0547). Empire met with stakeholders on ten occasions in preparation for the 2013 IRP. Demand-side issues were on the agenda in nearly all of these meetings, and Empire's demand-side consultants were made available for questions during multiple Advisory Group meetings. Empire's 2013 IRP filing was delayed by three months in order to provide stakeholders with additional demand-side information. Empire delivered detailed demand-side information as agreed. One entire 2013 IRP volume (Volume 5: Demand-Side Resource Analysis) is dedicated to demand-side analyses.

Empire met with stakeholders within thirty days of the 2013 IRP filing. At that meeting on July 30, 2013, the proposed demand-side portfolio in the 2013 IRP preferred plan was discussed and generally thought to be aggressive. It was further agreed that the plan was adequate to be utilized in Empire's new MEEIA filing to be made within 90 days of that meeting date (and which was made on October 29, 2013). In order for Empire to further address issues (a), (b), (c), (f), and (j) in its upcoming IRP update, Empire would need to reconsider, reiterate, and reorganize information recently discussed and/or filed and under review. Empire would also need to engage Applied Energy Group ("AEG"), Empire's demand-side consultant for the 2013 IRP. AEG estimates that it will cost approximately \$34,000-\$38,000 to further address these issues as described in the Order for Empire's upcoming IRP update. This estimate does not include travel costs for attendance at the IRP annual update meeting or the cost of any additional follow-up work that may be required.

4. Empire seeks clarification regarding issues (d) and (e) in the Order. Staff suggested that Empire describe and document generally "plans and timing to replace the Ventyx Midas® model currently used to perform its integrated resource plan and risk analysis required in 4 CSR 240-22.060" and "willingness to work collaboratively with Staff, the Office of the Public Counsel and other parties to consider the possible transition - over time - to a common software platform to perform the analyses required by 4 CSR 240-22.060." The Commission adopted these suggested issues in its Order. It is Empire's intention to state in its next annual update report, as was previously set forth in Empire's Response filed herein, that Empire has no plans at this time to replace the Midas model currently being used to develop its periodic IRP filings and is not aware of any stakeholder concerns with regard to Empire's continued use of this model. Empire requests clarification from the Commission regarding whether this will be

responsive or if the Commission is directing Empire to evaluate other possible models and formulate a plan to replace the Midas model.

5. Empire seeks clarification regarding issues (g) and (i) in the Order. Each of these issues ends with the phrase “to the extent it is not already included in the 2014 IRP filing.” Empire reads these two provisions as directing Empire to analyze and document these items as Special Contemporary Issues in its next annual update report (to be filed by Empire in mid-March, 2014), but only to the extent these issues are not already being analyzed by Empire and will not already be documented by Empire in its next annual update report. To the extent Empire’s reading of these provisions is incorrect; Empire seeks clarification from the Commission.

6. Lastly, Empire seeks clarification and/or reconsideration regarding issue (h) in the Order. This issue was not suggested by a stakeholder for Empire, so Empire’s concerns regarding this issue were not set forth in Empire’s Response previously filed herein. First, Empire will be addressing environmental issues in its upcoming annual update report as an update of a critical uncertain factor. As such, Empire seeks clarification from the Commission as to whether Empire needs to address these environmental standards as special contemporary issues only to the extent these environmental standards are not already being analyzed by Empire and will not already be documented by Empire in its next annual update report (as with issues (g) and (i) in the Order). Second, Empire seeks reconsideration of this issue to the extent the Commission is directing that Empire analyze and document costs to separately comply with each of the listed environmental standards. Empire does not believe it would be practical or appropriate to determine a compliance cost for each specific environmental standard, as all of Empire’s AQCS (Air Quality Control Systems) projects were designed to satisfy multiple environmental standards at once.

WHEREFORE, Empire respectfully requests reconsideration and clarification of the Commission's *Order Establishing Special Contemporary Resource Planning Issues* as set forth above. Empire requests such further relief as the Commission deems just and proper under the circumstances.

BRYDON, SWEARENGEN & ENGLAND P.C.

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ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail on this 31st day of October, 2013, to all counsel of record.

/s/ Diana C. Carter