

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In The Matter of the Seventh Prudence Review of)
Costs Subject to the Commission-Approved)
Fuel Adjustment Clause of The Empire District)
Electric Company)

File No. EO-2018-0244

ORDER DIRECTING FILING

Issue Date: June 25, 2019

Effective Date: June 25, 2019

This case was opened on March 9, 2018, to consider The Empire District Electric Company's seventh fuel adjustment clause prudence review. On September 5, 2018, the Commission's Staff filed a report regarding its review in which it found no incidence or evidence of imprudence by Empire for the period of September 1, 2016, through February 28, 2018. On September 17, 2018, the Office of the Public Counsel filed a motion for evidentiary hearing in which it asserted that Empire had acted imprudently in its natural gas hedging purchasing policies. In raising this issue, Public Counsel was renewing its concerns about Empire's hedging policies that it had raised in Empire's previous prudence review, which was heard in File No. EO-2017-0065.

At that time, the Commission's finding of no imprudence in File No. EO-2017-0065 had been appealed to the Missouri Court of Appeals and was awaiting a decision by the court. Rather than proceed with the seventh prudence review while the sixth was under judicial review, the Commission issued a notice on October 4, 2018, indicating this matter would be held in abeyance pending judicial resolution of the prior case.

The Court of Appeals issued its Order on March 5, 2019, affirming the Commission's decision on the sixth prudence review. That Order became final and the Court's Mandate was issued on May 22, 2019.

With the Court of Appeal's decision having become final, this case is now ready to proceed. The Commission will direct the parties to consult each other and to file a recommendation regarding how the Commission should proceed to resolve this seventh prudence review. If they can agree upon a procedural schedule, the parties may file a joint recommendation. If they cannot reach agreement, the parties may file separate recommendations.

THE COMMISSION ORDERS THAT:

1. The parties shall file their recommendations regarding further proceedings no later than July 9, 2019.
2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Morris L. Woodruff, Chief Regulatory
Law Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 25th day of June, 2019.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 25th day of June 2019.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

June 25, 2019

File/Case No. EO-2018-0244

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

City of Joplin, Missouri

Legal Department
602 S. Main
Joplin, MO 64801

**Empire District Electric
Company, The**

Diana C Carter
428 E. Capitol Avenue, Suite 303
Jefferson City, MO 65101
Diana.Carter@LibertyUtilities.com

**Midwest Energy Consumers
Group**

Legal Department
807 Winston Court
Jefferson City, MO 65101

**Midwest Energy Users'
Association**

Legal Department
215 West Main St.
P.O. Box 186
Cleveland, MO 64734

Missouri Division of Energy

Legal Department
301 W. High St., Room 720
P.O. Box 1766
Jefferson City, MO 65102

**Missouri Public Service
Commission**

Jeff Keevil
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
jeff.keevil@psc.mo.gov

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.