

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric Company's Application for Variance From Selected Provisions of The Commission's Rules to Electric Utility Resource Planning.)) Case No. EO-2019-0049

THE OFFICE OF THE PUBLIC COUNSEL'S RESPONSE TO COMMISSION ORDER

COMES NOW the Office of the Public Counsel and responds to the Commission's November 15, 2018, Order Granting Variances as follows:

1. In paragraph nine of its response to the Empire District Electric Company's requests for variances, the Office of the Public Counsel stated:

Recognizing that at this point in time it might cause Empire undue hardship to switch from using its designated revenue classes to using cost-of-service classes, if Empire shows that is in fact the case, then the Office of the Public Counsel would be satisfied by Empire committing to use cost-of-service classes in its next triennial filing analyses and not using them in this one, *i.e.*, if Empire commits using cost-of-service classes in its next triennial filing analyses and the Commission orders Empire to use cost-of-service classes in its next triennial filing, then the Office of the Public Counsel does not oppose Empire's variance requests in this case.

2. The Office of the Public Counsel believes that the attached letter from Empire's counsel dated November 19, 2018, makes the requisite showing that it would cause Empire undue hardship to now switch to cost-of-service classes for its 2019 triennial resource plan filing instead of the revenue classes it has used to date. With that condition met, in addition to Empire's commitments which fulfill the Office of the Public Counsel's other conditions, the Office of the Public Counsel does not oppose the relief the Commission has given to Empire by its Order Granting Variances.

Wherefore, the Office of the Public Counsel responds to the Commission's November 15, 2018, Order Granting Variances as set forth above.

Respectfully,

/s/ Nathan Williams

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 20th day of November 2018.

/s/ Nathan Williams