

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

In the Matter of the Sixth Prudence)	
Review of Costs Subject to the)	
Commission-Approved Fuel Adjustment)	Case No. EO-2017-0065
Clause of The Empire District Electric)	
Company)	

**JOINT LIST OF ISSUES and ORDERS OF WITNESSES,
CROSS-EXAMINATION and OPENING STATEMENTS**

COMES NOW the Office of the Public Counsel, The Empire District Electric Company, and the Commission’s Staff (jointly “parties”), and propose the following list of issues and orders of witnesses, cross-examination and opening statements:

A. The parties identified the following contested issues to be resolved by the Commission in this case:

1. *Was Empire’s natural gas hedging policy that caused costs to be incurred for the period of March 1, 2015 through August 31, 2016 imprudent?*
- 2a. *If the Commission finds that Empire’s hedging policy was imprudent, should the Commission order a refund to Empire’s customers?*
- 2b. *If so, what should be the amount of the refund?*

OPC witnesses: John Riley, Charles Hyneman, John Robinett and Lena Mantle

Empire witnesses: Aaron Doll, Blake Mertens, and Robert Sager

Staff witnesses: J. Luebbert, David Roos, Ashley Sarver, Dana Eaves

B. Empire believes the Commission should address the following additional issues in this proceeding:

3. *Should Empire change its hedging policy (as set forth in its Risk Management Policy)?*
 - a. *If so, what changes should be made? Should Empire cease all hedging activities at this time?*
 - b. *If Empire is directed to cease hedging at this time, under what circumstances should Empire resume hedging activities?*
4. *Should a mechanism be put in place to allow stakeholders and/or the Commission to review and approve a utility's hedging plan prior to implementation?*

Staff and OPC believe these additional questions are beyond the scope of this proceeding and should not be addressed by the Commission at this time.

C. The parties propose the following order of cross-examination:

OPC witnesses: Staff, Empire

Empire witnesses: Staff, OPC

Staff witnesses: Empire, OPC

D. The parties propose the following order of opening statements:

OPC, Empire, Staff.

WHEREFORE, the parties respectfully propose this list of issues and orders of witnesses, cross-examination and opening statements.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/ Marc D. Poston

MARC D. POSTON (#45722)

Chief Deputy Counsel

Office of the Public Counsel

PO Box 2230

Jefferson City MO 65102

(573) 751-5558

(573) 751-5562 FAX

marc.poston@ded.mo.gov

/s/ Diana C. Carter

DIANA C. CARTER (#50527)
Brydon, Swearngen & England, P.C.
312 East Capitol Avenue
PO Box 456
Jefferson City MO 65102
Telephone: (573) 635-7166
Facsimile: (573) 634-7431
E-mail: DCarter@Brydonlaw.com

/s/ Kevin A. Thompson

KEVIN A. THOMPSON (#36288)
Chief Staff Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City MO 65102
Telephone: (573) 751-6514
Facsimile: (573) 526-6969
kevin.thompson@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 10th day of August 2017.

/s/ Marc Poston
