BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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In the Matter of The Empire District Electric Company for Authority To File Tariffs Increasing Rates for Electric Service Provided to Customers In the Company's Missouri Service Area

File No. ER-2014-0351 Tracking No.: YE-2015-0074

ORDER GRANTING APPLICATION FOR WAIVER

Issue Date: October 27, 2014 Effective Date: October 27, 2014

On October 16, 2014, The Empire District Electric Company ("Empire") filed an Application for Waiver. Empire's application requested a waiver from the portion of Commission Rule 4 CSR 240-3.160(1)(A) that requires the submission of a depreciation study, database, and property unit catalog by an electric utility submitting a general rate increase request.

In its application, Empire points out that it submitted a full depreciation study in September 2010 and that it intends to complete and submit to the Commission's Staff a new depreciation study in 2015.¹

Empire indicated that all attorneys representing parties in this matter consented to the request. The Commission issued an order setting a deadline for parties to object to Empire's request. No objections were received. The Commission finds the completion of a new depreciation study, database, and property unit catalog at this time is unnecessary. Furthermore, it is not a sound use of Empire's time and resources.

¹ Empire points out in its application a difference in interpretation of the requirements of 4 CSR 240-3.160(1)(A) resulted in Staff recommending Empire seek a waiver. Although an exemption to the submission requirement exists in the rule, Empire did not specifically request the Commission issue an order on the applicability of the exemption. Therefore, the Commission will only address the application for a waiver.

Based on the lack of objections and the previously stated findings, the Commission finds good cause exists to grant Empire's Application for Waiver and that no prejudice will result.²

THE COMMISSION ORDERS THAT:

Empire is granted a waiver from the requirements of Commission Rule 4
CSR 240-3.160(1)(A) to file a depreciation study, database and property unit catalog.

2. This order shall be effective when issued.

BY THE COMMISSION



11 Joris Z Woodrugh

Morris L. Woodruff Secretary

Kim S. Burton, Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 27th day of October, 2014.

² Failure of an agency to comply with its own rules may invalidate its actions only when prejudice results. *Missouri Nat. Educ. Ass'n v. Mo. State Bd. Of Mediation*, 695 S.W.2d 894, 897 (Mo. 1985).