

**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) File No. EO-2018-0244
Fuel Adjustment Clause of The Empire)
District Electric Company)

EMPIRE’S RESPONSE TO COMMISSION ORDER

COMES NOW The Empire District Electric Company (“Empire”) and, pursuant to the *Order Directing Filing* issued herein by the Missouri Public Service Commission (“Commission”) on September 19, 2018, respectfully states as follows:

1. On March 9, 2018, the Staff of the Commission (“Staff”) filed *Staff’s Notice of Start of Seventh Fuel Adjustment Clause Prudence Review* informing the Commission that it had begun its audit of the costs subject to Empire’s FAC. Thereafter, Staff submitted its Seventh Prudence Review Report on September 5, 2018, stating that Staff had identified no evidence of imprudence on the part of Empire.

2. On September 17, 2018, the Office of the Public Counsel (“OPC”) filed a Motion for Evidentiary Hearing and requested that the Commission schedule a procedural conference. OPC’s Motion for Evidentiary Hearing filed herein raises essentially the same objections to Staff’s Seventh Prudence Review Report that OPC raised in objection to Staff’s Sixth Prudence Review Report in Commission File No. EO-2017-0065.

3. The Commission’s decision in File No. EO-2017-0065 is currently on appeal at the Missouri Western District Court of Appeals in Case No. WD81627. Since the parties and issues in the two FAC prudence review cases are substantially similar, Empire believes it would be in the interest of administrative economy to delay further proceedings in this Case No. EO-2018-0244

until the Commission has received guidance from the Court in the pending appeal of Commission File No. EO-2017-0065.

WHEREFORE, Empire respectfully submits this Response to Commission Order and requests such relief as is just and proper under the circumstances.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing document was filed in EFIS on this 1st day of October, 2018, with notice of the same being sent to all counsel of record.

Diana C. Carter