

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

In the Matter of the Application of The Empire)
District Electric Company for Approval of) **Case No. EO-2018-0092**
Its Customer Savings Plan)

JOINT STIPULATION OF NON-DISPUTED FACTS

COME NOW the Staff of the Missouri Public Service Commission (“Staff”), The Office of the Public Counsel (“OPC”), The Empire District Electric Company (“Empire” or “Company”), Midwest Energy Consumer’s Group (“MECG”), Dogwood Energy, LLC, Renew Missouri, and City of Joplin and for their *Joint Stipulation of Non-Disputed Facts*, states as follows:

INTRODUCTION AND PROCEDURAL HISTORY

1. On October 31, 2017, Empire filed an Application with the Missouri Public Service Commission (“Commission”) requesting approval of its proposal it titles the Customer Savings Plan (“CSP”).
2. On December 13, 2017, the Commission issued its *Order Setting Procedural Schedule and Other Procedural Requirements* which among other things, ordered the parties to file a stipulation of non-disputed material facts. In response to a Motion from the parties, the Commission issued an Order Granting Motion for Extension of Time to File Joint Stipulation of Facts extending the date for such filing until April 10, 2018.
3. This stipulation does not constitute an admission by the parties that every fact contained herein is necessarily relevant and/or material to the issues presented for decision in this case and each party reserves the right to argue the relevance and

materiality of any fact set forth herein. Further, this stipulation does not preclude the offering of additional evidence by any party.

NON-DISPUTED FACTS

4. Empire is a corporation duly organized and existing under the laws of the State of Kansas and is duly qualified and engaged in doing business in the states of Missouri, Kansas, Arkansas and Oklahoma. Empire owns and operates an electric utility system located in contiguous portions of the above-mentioned four states, which is used to serve approximately 172,000 total electric customers.

5. Empire proposes to use tax equity financing to acquire the wind projects. The proposed tax equity financing is dependent on federal Production Tax Credits (PTCs) and accelerated depreciation. In order to qualify for PTCs at their current value of ~\$24 per MWh, a project must begin construction before January 1, 2017. The beginning of construction is typically achieved by incurring at least 5% of a wind project's costs before the applicable date. Any projects that begin construction after December 31, 2016 qualify for a reduced amount of PTCs, if construction is completed and the project placed in service within four years thereafter, as follows:

Start of Construction	PTC%	PTC Value \$/MW-hour
Before 1/1/2017	100%	24.00
During 2017	80%	19.20
During 2018	60%	14.40
During 2019	40%	9.60
After 12/31 /2019	0%	0.00

6. In 1970, Empire placed the Asbury coal power plant in service. In 2008, Empire installed a selective catalytic reduction at its Asbury plant for \$31 million in order to meet EPA regulation requirements defined in the Clean Air Interstate Rule. In 2014, in order to continue operating in compliance with the Mercury Air Toxic Standards and the Cross State Air Pollution Rule, Asbury was required to retrofit the plant with an Air Quality Control Systems (“AQCS”) that included the addition of a circulating dry scrubber to reduce sulfur dioxide emissions, a pulse jet fabric filter to reduce particulate emissions, powder activated carbon injection to control mercury emissions, conversion from forced draft to balanced draft, a new stack, and the upgrade of the steam turbine to increase efficiency.

7. These capital improvements were the subject of testimony in Empire’s 2014 and 2016 rate cases, and the cost of the capital improvements were included in Empire’s rates in Cases Nos. ER-2014-0351 and ER-2016-0023.

8. Empire’s AQCS project and steam turbine upgrade were completed at its Asbury plant at a cost of approximately \$122 million.

9. In the last rate case, Case No. ER-2016-0023, Empire filed a depreciation study that indicated the retirement date of its Asbury plant to be 2035.

10. At the time of filing its Application, Empire employed approximately 55 employees at its Asbury plant.

11. The capacity of Empire’s wholly-owned, coal-fired, Asbury generating plant is 218 MW nominal and 198 MW Southwest Power Pool accredited.

12. Empire is requesting to record a regulatory asset for the net book value of the Asbury generation plant in FERC Uniform System of Accounts account no. 182.2.

WHEREFORE, the parties submit their *Joint Stipulation of Non-disputed Facts* for consideration by the Commission.

Respectfully submitted,

/s/ Marcella L Forck

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing were mailed, electronically mailed, or hand-delivered to all counsel of record this 10th day of April, 2018.

/s/ Marcella L. Forck