

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 Its) File No. EO-2018-0092
Customer Savings Plan)

POSITION STATEMENT OF SIERRA CLUB

Comes now Sierra Club and files this statement of position in light of the Non-
Unanimous Stipulation and Agreement filed by five parties on April 24, 2018.

1. Sierra Club supported Empire's original plan but does not object to the Non-Unanimous
Stipulation and Agreement.

2. The overwhelming weight of the evidence shows that it is uneconomical to continue
operating the Asbury power plant. As outlined in Empire's original application, Empire's
customers will benefit if Asbury is retired as soon as possible. Under the Non-Unanimous
Stipulation and Agreement, it is in management's discretion to continue operation of the plant.
Empire should use this discretion to retire Asbury promptly.

3. The non-Unanimous Stipulation and Agreement allows Empire to spend some \$20
million on environmental upgrades by April, 2019, to meet the requirements of the EPA's Coal
Combustion Residuals rule and Effluent Limitation Guidelines and recover the expense through
rate base. Any such expenditures that could be avoided by retiring Asbury would be unjustifiable
costs to ratepayers if the plant were to be retired soon thereafter. These compliance costs should
be avoided if at all possible given Empire's continued insistence that Asbury should be retired.

/s/ Henry B. Robertson
Henry B. Robertson (Mo. Bar No. 29502)
Great Rivers Environmental Law Center
319 N. Fourth St, Suite 800

St. Louis, Missouri 63102
(314) 231-4181
(314) 231-4184
hrobertson@greatriverslaw.org

Attorney for Sierra Club

CERTIFICATE OF SERVICE

I hereby certify that a true and correct PDF version of the foregoing was filed on EFIS and sent by email on this 2nd day of May, 2018, to all counsel of record:

/s/ Henry B. Robertson
Henry B. Robertson