

**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)

REVISED JOINT LIST OF ISSUES, LIST AND ORDER OF WITNESSES, ORDER OF PARTIES FOR CROSS-EXAMINATION, AND ORDER OF OPENING STATEMENTS

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and on behalf of The Empire District Electric Company (Empire); the Office of the Public Counsel (OPC); Missouri Division of Energy (DE); Renew Missouri; City of Joplin, Missouri; Midwest Energy Consumers Group (MECG); Dogwood Energy, LLC; and Staff; known collectively herein as “the Parties,” files this *Revised Joint List of Issues, List and Order of Witnesses, Order of Parties for Cross-Examination, and Order of Opening Statements* with the Missouri Public Service Commission stating the following:

By its application, Empire requests the following from the Commission:

- a. (1) Authorization to record its investment in, and the costs to operate, the Wind Projects as described in Empire Witness Mooney’s Direct Testimony, (2) including a finding that Empire’s investment related to the Customer Savings Plan (“CSP”) should not be excluded from Empire’s rate base on the ground that the decision to proceed with the Plan was not prudent;
- b. Authorization to create a regulatory asset for the undepreciated balance of the Asbury facility, as described in Empire Witness Sager’s Direct

- Testimony,¹ so that it may be considered for rate base treatment in subsequent rate cases;
- c. Approval of depreciation rates as described in Empire Witness Watson's testimony, so that depreciation can begin as soon as the assets are placed in service;
 - d. Approval of the arrangements between Empire and affiliates necessary to implement the Customer Savings Plan, to the extent necessary;
 - e. Issuance of an order that is effective by June 30, 2018, so that Empire can take advantage of a limited window of opportunity to bring these savings to customers; and
 - f. For such other and further relief as may be appropriate.

The following joint list of issues is the same as the joint list of issues filed on March 21, 2018.

JOINT LIST OF ISSUES:

1. Does the Commission have authority to grant Empire's requests?
2. Which of Empire's requests, if any, should the Commission grant?
3. What requirements should be applied to the Asbury regulatory asset?
4. Should Empire be required to make any additional filings in relation to the CSP?
If so, what filings?
5. Should the Commission impose any requirements in regard to tax equity financing? If so, what requirements?
6. What conditions, if any, should be applied to the Asbury Employees?

¹ Empire Witness Mooney indicated in his surrebuttal testimony that he would be adopting Empire Witness Sager's testimony.

7. Should the Commission require conditions related to any impacts on local property taxes? If so, what conditions?
8. Should there be any requirements associated with the Tax Cuts and Jobs Act of 2017? If so, what requirements?
9. Should there be any requirements associated with potential impacts of the Wind Projects on wildlife? If so, what requirements?
10. Should the Commission grant waivers of its affiliate transaction rules for the affiliate agreements associated with the CSP?

WITNESS ORDER (take the stand once/not issue by issue):

Wednesday, May 9, 2018 – Friday, May 11, 2018 Evidentiary Hearing

Empire

McMahon
Mertens
Mooney
Wilson
Krygier
Holmes
Swain
North²
Macias³
Watson⁴

Staff

Dietrich
Rogers
Oligschlaeger

² Parties have agreed to waive cross of this witness, provided the Commission has no questions.

³ Parties have agreed to waive cross of this witness, provided the Commission has no questions.

⁴ Parties have agreed to waive cross of this witness, provided the Commission has no questions. In the event the Commission has questions, Mr. Watson is available Wednesday through noon on Thursday.

MECG

Meyer

Renew Missouri

Owen⁵

Division of Energy

Hyman⁶

JOPLIN

Edwards⁷

OPC

Mantle
Robinett
Riley
Marke

ORDER OF OPENING STATEMENTS

Empire
Renew Missouri
DE
Staff
MECG
Sierra Club
City of Joplin, MO
OPC

⁵ Parties have agreed to waive cross of this witness, provided the Commission has no questions.

⁶ Parties have agreed to waive cross of this witness, provided the Commission has no questions. In the event the Commission has questions, Mr. Hyman is only available on Friday.

⁷ Mr. Edwards is only available on Friday

ORDER OF CROSS EXAMINATION

The order of cross-examination is intended to move generally from the least adverse to the most adverse for each witness. As positions and schedules change during the hearing, the order of cross-examination may vary accordingly.

Empire Witnesses:	Staff Witnesses:	OPC Witnesses:
Staff	Empire	City of Joplin, MO
MECG	MECG	Sierra Club
DE	DE	DE
Renew Missouri	Renew Missouri	Renew Missouri
Sierra Club	Sierra Club	MECG
City of Joplin, MO	City of Joplin	Staff
OPC	OPC	Empire

MECG Witnesses:	Renew Missouri Witnesses:	DE Witnesses:
Staff	Sierra Club	Renew Missouri
Empire	DE	Empire
DE	Staff	Staff
Renew Missouri	MECG	MECG
Sierra Club	Empire	Sierra Club
City of Joplin, MO	City of Joplin, MO	City of Joplin, MO
OPC	OPC	OPC

City of Joplin, MO Witnesses:
OPC
Sierra Club
DE
Renew Missouri
MECG
Staff
Empire

WHEREFORE, the Staff files this *Revised Joint List of Issues, List and Order of Witnesses, Order of Parties for Cross-Examination, and Order of Opening Statements* on behalf of the Parties and prays the Commission accept this pleading as set forth above.

Respectfully submitted,

/s/ Marcella L Forck

Marcella L. Forck
Associate Staff Counsel
Missouri Bar No. 66098
Attorney for the Staff of the
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4140 (Telephone)
(573) 751-9265 (Fax)
Marcella.Forck@psc.mo.gov

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 7th day of May, 2018.

/s/ Marcella L. Forck