

**Exhibit No.:**

**Issue(s):**

**Witness/Type of Exhibit:**

**Sponsoring Party:**

**Case No.:**

\_\_\_\_\_  
Rate Case Expense Rider

Trippensee/Rebuttal

Public Counsel

ER-2010-0130

**REBUTTAL TESTIMONY**

**OF**

**RUSSELL W. TRIPPENSEE**

Submitted on Behalf of the Office of the Public Counsel

**EMPIRE DISTRICT ELECTRIC**

**Case No. ER-2010-0130**

April 2, 2010

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

In the Matter of the Empire District )  
Electric Company of Joplin, Missouri )  
for Authority to File Tariff Increasing )  
Rates for Electric Service Provided to )  
Customers in the Missouri Service Area )  
of the Company )

**File No. ER-2010-0130**  
Tariff File No. YE-2010-0303

**AFFIDAVIT OF RUSSELL W. TRIPPENSEE**

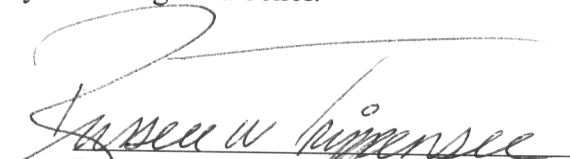
STATE OF MISSOURI )  
                                  ) ss  
COUNTY OF COLE )

Russell W. Trippensee, of lawful age and being first duly sworn, deposes and states:

1. My name is Russell W. Trippensee. I am the Chief Public Utility Accountant for the Office of the Public Counsel.

2. Attached hereto and made a part hereof for all purposes is my rebuttal testimony.

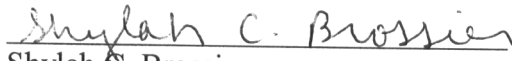
3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge and belief.

  
Russell W. Trippensee

Subscribed and sworn to me this 2<sup>nd</sup> day of April 2010.



SHYLAH C. BROSSIER  
My Commission Expires  
June 8, 2013  
Cole County  
Commission #09812742

  
Shylah C. Brossier  
Notary Public

My commission expires June 8, 2013.

**REBUTTAL TESTIMONY**

**OF**

**RUSSELL W. TRIPPENSEE**

**EMPIRE DISTRICT ELECTRIC COMPANY**

**CASE NO. ER-2010-0130**

1 **Q. PLEASE STATE YOUR NAME AND ADDRESS.**

2 A. Russell W. Trippensee. I reside at 1020 Satinwood Court, Jefferson City, Missouri 65109, and my  
3 business address is P.O. Box 2230, Jefferson City, Missouri 65102.

4 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5 A. I am the Chief Utility Accountant for the Missouri Office of the Public Counsel (OPC or Public  
6 Counsel).

7 **Q. ARE YOU A CERTIFIED PUBLIC ACCOUNTANT?**

8 A. Yes, I hold certificate/license number 2004012797 in the State of Missouri.

9 **Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND.**

10 A. I attended the University of Missouri at Columbia, from which I received a BSBA degree, major in  
11 Accounting, in December 1977. I also completed the requisite hours for a major in finance. I attended  
12 the 1981 NARUC Annual Regulatory Studies Program at Michigan State University. I have attended  
13 numerous seminars and conferences related to public utility regulation. Finally, I am required to take a  
14 minimum of 40 hours per year of continuing professional education to maintain my CPA license.

15 **Q. PLEASE DESCRIBE YOUR WORK EXPERIENCE.**

16 A. From May through August, 1977, I was employed as an Accounting Intern by the Missouri Public  
17 Service Commission (MPSC or Commission). In January 1978 I was employed by the MPSC as a

1 Public Utility Accountant I. I left the MPSC staff in June 1984 as a Public Utility Accountant III and  
2 assumed my present position.

3 **Q. PLEASE DESCRIBE YOUR PROFESSIONAL AFFILIATIONS.**

4 A. I served as the chairman of the Accounting and Tax Committee for the National Association of State  
5 Utility Consumer Advocates from 1990-1992. I am a member of the Missouri Society of Certified  
6 Public Accountants.

7 **Q. PLEASE DESCRIBE YOUR WORK WHILE YOU WERE EMPLOYED BY THE MPSC  
8 STAFF.**

9 A. Under the direction of the Chief Accountant, I supervised and assisted with audits and examinations of  
10 the books and records of public utility companies operating within the State of Missouri with regard to  
11 proposed rate increases.

12 **Q. WHAT IS THE NATURE OF YOUR CURRENT DUTIES WITH THE OFFICE OF  
13 THE PUBLIC COUNSEL?**

14 A. I am responsible for the Accounting section of the Office of the Public Counsel and coordinating our  
15 activities with the rest of our office and other parties in rate proceedings. I am also responsible for  
16 performing audits and examinations of public utilities and presenting the findings to the MPSC on  
17 behalf of the public of the State of Missouri.

18 **Q. HAVE YOU PREVIOUSLY FILED TESTIMONY BEFORE THE MPSC?**

19 A. Yes. I filed testimony in the cases listed on Schedule RWT-1 of my testimony on behalf of the  
20 Missouri Office of the Public Counsel or MPSC Staff.

1 **Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?**

2 A. To state that Public Counsel is opposed to the Rate Case Expense Recovery Rider mechanism (RCER)  
3 proposed in the direct testimony of Empire District Electric Company (EDE) witness Jayna R. Long.

4 **Q. PLEASE EXPLAIN YOUR UNDERSTANDING OF EDE'S REQUEST WITH REGARD**  
5 **TO AN RCER?**

6 A. Empire requests that this Commission authorize a separate line item charge on the customers' bill that  
7 will allow EDE to receive revenues over a three year period. This surcharge purports to match  
8 revenues received with expenses incurred. This request could be classified as a classic single issue  
9 ratemaking mechanism whose sole purpose is to eliminate all risk and incentive with managing a  
10 normal operating expense of the business.

11 **Q. IS EMPIRE'S REQUEST FOR RCER THE ONLY SIMILAR REQUEST IN THIS**  
12 **CASE?**

13 A. No. Empire's request for an RCER along with the request for a Vegetation Management Tracker is an  
14 attempt to change the regulatory paradigm from rate of return regulation to a cost plus model of  
15 regulation. Both of these mechanisms are based on a cost plus ratemaking concept, wherein costs were  
16 incurred in the provision of service are subsequently paid for by customer in a period subsequent to the  
17 period in which those costs were incurred. Both mechanisms accumulate costs and subsequently adjust  
18 rates charged the customer so as to provide revenues equal to those costs.

19 **Q. PLEASE PROVIDE YOUR DEFINITION OF A COST PLUS RATEMAKING**  
20 **CONCEPT.**

1 A. By use of the term cost plus, I am referring to a model in which costs are incurred in one period and the  
2 customers would be required to pay those costs in a subsequent period. The “plus” portion would be  
3 an addition or “adder” to the cost that would represent a level of earnings. A cost plus model removes  
4 the incentives inherent in rate of return regulation to manage costs and revenues so that actual earnings  
5 realized are maximized for the firm’s investors.

6 **Q. MS. LONG REFERS TO THE “RECOVERY” OF COSTS IN HER DIRECT**  
7 **TESTIMONY, PAGE 13, LINES 10 – 16. DO YOU HAVE ANY COMMENTS ON**  
8 **HER USE OF THE TERM “RECOVERY”?**

9 A. Yes. As previously stated, a cost plus contract looks at costs previously incurred and sets a contract  
10 price to sufficient to “recover” those costs plus a specified level of earnings. Therefore, the level of  
11 revenues is specifically tied to a specific nominal level of costs. In contrast, the focus of rate of return  
12 regulation is on earnings, not a specific level of costs. The nominal level of revenues and costs can  
13 vary significantly, so long as the level of earnings (derived by subtracting costs from expenses) results  
14 in an earnings rate (earnings / rate base) that is reflective of current market conditions. Rate of Return  
15 regulation is not a cost “recovery” process.

16 It can be said under rate of return regulation that revenues were sufficient to “cover” costs and thus  
17 generate a level of earnings. Thus, when used properly, the terms cover and recovery have two entirely  
18 different meanings in regulation.

19 **Q. IS THE TERM “RECOVERY” THE BASIS FOR ANY TRADITIONAL RATE OF**  
20 **RETURN REGULATORY PROCESS?**

21 A. No.

1 **Q. DOES THE TERM "RECOVERY" HAVE ANY REGULATORY PROCESS USE?**

2 A. An Accounting Authority Order (AAO) accounts for a past specific event and then adjusts future rates  
3 to generate revenues sufficient to "recover" the earnings that did not occur because of those prior  
4 period costs. An AAO is a non-traditional regulatory process that has been used to address  
5 extraordinary events that left unaddressed would threaten service to customers and/or the financial  
6 integrity of the utility. They require special applications to and orders from the MPSC and in general  
7 are an unusual event.

8 **Q. IS THERE A DIRECT FINANCIAL INCENTIVE TO MANAGE COSTS**  
9 **EFFICIENTLY IN A COST PLUS MODEL?**

10 A. No. The only incentive that would be available is an "after the fact" review by the various parties in  
11 the regulatory proceeding. Those employees responsible for the cost management decisions or the  
12 information necessary to evaluate those decisions could easily be long gone by the time a review  
13 occurs. It should also be noted that the level of earnings under a cost plus model is an "adder" to the  
14 costs. This greatly reduces financial risk since the return is predetermined and then billed to the  
15 customers.

16 **Q. HOW DOES RATE OF RETURN REGULATION ADDRESS THE INCENTIVE TO**  
17 **MANAGE COSTS?**

18 A. The impact of all decisions made by the utility impact the level of incurred costs and revenues for the  
19 utility. Thus the level of earnings (revenues – costs) is directly and immediately impacted in either a  
20 positive or negative manner. This provides a very immediate financial incentive for making the best  
21 decision possible because earnings will be increased or maximized with good decisions. In contrast, a

1 cost plus model treats costs separately from earnings. The linkage between revenues, costs, and  
2 earnings is severed under a cost plus model.

3 It should also be noted that the level of earnings can be monitored by utility management, utility  
4 investors, and the regulatory bodies. Thus the groups have the opportunity to respond to changes in  
5 earnings as appropriate. Reduced earnings can result in a review of management procedures and  
6 abilities or the need to file a general rate proceeding if internal efforts cannot materially impact  
7 earnings. The regulatory entities can review earnings to determine if rate adjustments are necessary to  
8 reflect current operational results and market conditions in order to adequately balance the needs of  
9 customers with those of investors. Regulatory review of earnings with a general rate case only as  
10 needed is a significantly more efficient use of resources than the on-going review activities necessary  
11 when single-issue rate mechanisms are used.

12 **Q. WOULD THE RCER LOOK AT ALL RELEVANT FACTORS IN DETERMINING THE**  
13 **OVERALL COST OF SERVICE OR REVENUE REQUIREMENT?**

14 A. No. The RCER would only look at the components of the overall cost of service that are addressed by  
15 the RCER. Any changes in other components and the resulting impact on earnings would not be  
16 evaluated. This fact underscores that a single-issue rate mechanism severs the linkage between  
17 revenues, costs, and earnings.

18 **Q. CAN THE CHANGES IN THESE REVENUE REQUIREMENT COMPONENTS CHANGE**  
19 **BUT THE RESULTING EARNINGS REMAIN CONSTANT?**

20 A. Yes.



1 **Q. DOES RATE OF RETURN REGULATION ANTICIPATE THAT THE COMPONENTS**  
2 **OF THE REVENUE REQUIREMENT WILL CHANGE OVER TIME?**

3 A. Yes. This is especially true if one focuses only on the nominal dollar basis of costs included in the  
4 utility revenue requirement. The utility industry is very dynamic and there is no question that costs  
5 especially on a nominal basis will vary with the passage of time due to multiple factors. Likewise the  
6 revenues a utility earns also vary with time. What is important is the comparison of the actual costs to  
7 the actual revenues to determine if the utility was able to achieve an adequate rate of return. Focusing  
8 on individual components of the cost structure of a utility is not representative of the overall operations  
9 of the utility. Failure to look at all relevant factors (revenues, expenses, investment, and capital costs)  
10 will provide minimal if any insight into the actual earnings of the utility.

11 **Q. CAN YOU PROVIDE SOME EXAMPLES OF CHANGES THAT WOULD IMPACT A**  
12 **UTILITY'S EARNINGS IF YOU LOOKED AT THOSE CHANGES IN ISOLATION?**

13 A. Yes. Increased overtime and cost of living increases would cause payroll expense to increase.  
14 Conversely, a voluntary separation plan would decrease the number of employees as compared to the  
15 revenue requirement determination. Declining customer levels or usage would have a detrimental  
16 impact on earnings to the extent the utility is unable to sell the displaced electricity to other customers  
17 or the wholesale market. I could go through each and every line item included in the Staff's  
18 Accounting Schedules to provide similar examples.

19 Suffice it to say, the isolation of any actual expense subsequent to the determination of revenue  
20 requirement will undoubtedly have a change in nominal dollars from the expense "built" into the  
21 revenue requirement. However, it does not follow however that actual earnings have been affected

1 either positively or negatively. The determination of return on equity is the only financial measure of  
2 the relationship between revenues, expenses, investment, and capital costs.

3 **Q. IF YOU ASSUME THAT ACTUAL EXPERIENCE IN THE YEAR SUBSEQUENT TO**  
4 **A GENERAL RATE PROCEEDING DOES IN FACT EXACTLY REFLECT THE**  
5 **REVENUE REQUIREMENT LEVELS OF ALL COSTS AND REVENUES; WILL THE**  
6 **ACTUAL EARNINGS BE THE SAME AS THE RETURN ON EQUITY LEVEL FOUND**  
7 **JUST AND REASONABLE?**

8 A. No. The level of actual earnings for the period will be higher than the return on equity level in the  
9 general rate proceeding. This occurs because during the period the ratepayer will have paid a “return  
10 of” the utility’s investment and this payment is reflected through the recording of depreciation expense  
11 which will result in a lower net plant-in-service, thus a lower rate base on which to calculate return on  
12 equity. This upwards influence on earnings is always present each and every month the utility  
13 operates. This does not mean that earnings will always grow as other revenue requirement components  
14 will change. However this should highlight the requirement under rate of return regulation to review  
15 and determine the relationship between all relevant factors and not to simply pick and choose  
16 individual components that achieve a goal of increasing earnings.

17 **Q. IS THERE ANYTHING UNIQUE ABOUT LEGAL COSTS ASSOCIATED WITH**  
18 **APPEALS OR OTHER ACTIVITIES RELATED TO LITIGATION OF A**  
19 **REGULATORY PROCEEDING?**

20 A. No. These costs are evaluated in a general rate proceeding in order to properly reflect these expenses  
21 in the overall revenue requirement.

1 **Q. HAS THE COMPANY ASSERTED THAT THESE COSTS ARE SIGNIFICANT**  
2 **ENOUGH TO THREATEN ITS FINANCIAL INTEGRITY?**

3 A. No. Based on my experience in regulatory matters over the past 30 years, I would assert that a  
4 management decision to incur discretionary expenses that would threaten the utilities financial integrity  
5 would be imprudent.

6 **Q. DID EMPIRE INCLUDE THE RCER IN THE TARIFFS FILED TO INITIATE**  
7 **THIS CASE?**

8 A. No. It does not appear so. Although Ms. Long refers in her direct testimony to a tariff filing that  
9 includes the RCER, it does not appear in the Company's filing on 10/29/2009 as found in item #1,  
10 Case No. ER-2010-0130 on the MPSC's EFIS web site. I have attached these EDE's filed tariffs to my  
11 testimony as Schedule RWT-2.

12 **Q. ARE THERE CONSEQUENCES THAT RESULT FROM THIS OMISSION?**

13 A. Yes. I am advised by counsel that because of notice issues, the MPSC cannot approve a tariff that was  
14 omitted.

15 **Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

16 A. Yes.

Rebuttal Testimony  
Russell W. Trippensee  
Case No. ER-2010-0130

Missouri Power & Light Company, Steam Dept., Case No. HR-82-179  
Missouri Power & Light Company, Electric Dept., Case No. ER-82-180  
Missouri Edison Company, Electric Dept., Case No. ER-79-120  
Southwestern Bell Telephone Company, Case No. TR-79-213  
Doniphan Telephone Company, Case No. TR-80-15  
Empire District Electric Company, Case No. ER-83-43  
Missouri Power & Light Company, Gas Dept., Case No. GR-82-181  
Missouri Public Service Company, Electric Dept., Case No. ER-81-85  
Missouri Water Company, Case No. WR-81-363  
Osage Natural Gas Company, Case No. GR-82-127  
Missouri Utilities Company, Electric Dept., Case No. ER-82-246  
Missouri Utilities Company, Gas Dept., Case No. GR-82-247  
Missouri Utilitites Company, Water Dept., Case No. WR-82-248  
Laclede Gas Company, Case No. GR-83-233  
Great River Gas Company, Case No. GR-85-136 (OPC)  
Northeast Missouri Rural Telephone Company, Case No. TR-85-23 (OPC)  
United Telephone Company, Case No. TR-85-179 (OPC)  
Kansas City Power & Light Company, Case No. ER-85-128 (OPC)  
Arkansas Power & Light Company, Case No. ER-85-265 (OPC)  
KPL/Gas Service Company, GR-86-76 (OPC)  
Missouri Cities Water Company, Case Nos. WR-86-111, SR-86-112 (OPC)  
Union Electric Company, Case No. EC-87-115 (OPC)  
Union Electric Company, Case No. GR-87-62 (OPC)  
St. Joseph Light and Power Company, Case Nos. GR-88-115, HR-88-116 (OPC)  
St. Louis County Water Company, Case No. WR-88-5 (OPC)  
West Elm Place Corporation, Case No. SO-88-140 (OPC)  
United Telephone Long Distance Company, Case No. TA-88-260 (OPC)  
Southwestern Bell Telephone Company, Case No. TC-89-14, et al. (OPC)  
Osage Utilities, Inc., Case No. WM-89-93 (OPC)  
GTE North Incorporated, Case Nos. TR-89-182, TR-89-238, TC-90-75 (OPC)  
Contel of Missouri, Inc., Case No. TR-89-196 (OPC)  
The Kansas Power and Light Company, Case No. GR-90-50 (OPC)  
Southwestern Bell Telephone Company, Case No. TO-89-56 (OPC)  
Capital City Water Company, Case No. WR-90-118 (OPC)  
Laclede Gas Company, Case No. GR-90-120 (OPC)

Rebuttal Testimony  
Russell W. Trippensee  
Case No. ER-2010-0130

Southwestern Bell Telephone Company, Case No. TR-90-98 (OPC)  
Empire District Electric Company, Case No. ER-90-138 (OPC)  
Associated Natural Gas Company, Case No. GR-90-152 (OPC)  
Southwestern Bell Telephone Company, Case No. TO-91-163 (OPC)  
Union Electric Company, Case No. ED-91-122 (OPC)  
Missouri Public Service, Case Nos. EO-91-358 and EO-91-360 (OPC)  
The Kansas Power and Light Company, Case No. GR-91-291 (OPC)  
Southwestern Bell Telephone Co., Case No. TO-91-163 (OPC)  
Union Electric Company, EM-92-225 and EM-92-253 (OPC)  
Southwestern Bell Telephone Company, TO-93-116(OPC) (OPC)  
Missouri Public Service Company, ER-93-37, (January, 1993) (OPC)  
Southwestern Bell Telephone Company, TO-93-192, TC-93-224 (OPC)  
Saint Louis County Water Company, WR-93-204 (OPC)  
United Telephone Company of Missouri, TR-93-181 (OPC)  
Raytown Water Company, WR-94-300 (OPC)  
Empire District Electric Company, ER-94-174 (OPC)  
Raytown Water Company, WR-94-211 (OPC)  
Missouri Gas Energy, GR-94-343 (OPC)  
Capital City Water Company, WR-94-297 (OPC)  
Southwestern Bell Telephone Company, TR-94-364 (OPC)  
Missouri Gas Energy, GR-95-33 (OPC)  
St. Louis County Water Company, WR-95-145 (OPC)  
Missouri Gas Energy, GO-94-318 (OPC)  
Alltel Telephone Company of Missouri, TM-95-87 (OPC)  
Southwestern Bell Telephone Company, TR-96-28 (OPC)  
Steelville Telephone Exchange, Inc., TR-96-123 (OPC)  
Union Electric Company, EM-96-149 (OPC)  
Imperial Utilites Corporation, SC-96-247 (OPC)  
Laclede Gas Company, GR-96-193 (OPC)  
Missouri Gas Energy, GR-96-285 (OPC)  
St. Louis County Water Company, WR-96-263 (OPC)  
Village Water and Sewer Company, Inc. WM-96-454 (OPC)  
Empire District Electric Company, ER-97-82 (OPC)  
UtiliCorp d/b/a Missouri Public Service Company, GR-95-273 (OPC)  
Associated Natural Gas, GR-97-272 (OPC)

Rebuttal Testimony  
Russell W. Trippensee  
Case No. ER-2010-0130

Missouri Public Service, ER-97-394, ET-98-103 (OPC)  
Missouri Gas Energy, GR-98-140 (OPC)  
St. Louis County Water, WO-98-223 (OPC)  
United Water Missouri, WA-98-187 (OPC)  
Kansas City Power & Light/Western Resources, Inc. EM-97-515 (OPC)  
St. Joseph Light & Power Company, HR-99-245 (OPC)  
St. Joseph Light & Power Company, GR-99-246 (OPC)  
St. Joseph Light & Power Company, ER-99-247 (OPC)  
AmerenUE, EO-96-14, (prepared statement) (OPC)  
Missouri American Water Company, WR-2000-281 (OPC)  
Missouri American Water Company, SR-2000-282 (OPC)  
UtiliCorp United Inc./St. Joseph Light & Power Company, EM-2000-292 (OPC)  
UtiliCorp United Inc./Empire District Electric Company, EM-2000-369 (OPC)  
St. Joseph Light & Power Company, EO-2000-845 (OPC)  
St. Louis County Water Company, WR-2000-844 (OPC)  
Union Electric Company, EO-2001-245 (OPC)  
Laclede Gas Company, GM-2001-342 (OPC)  
Empire District Electric Company, ER-2001-299 (OPC)  
Missouri-American Water Company, et. al., WM-2001-309 (OPC)  
AmerenUE, EC-2002-152, GC-2002-153 (OPC)  
UtiliCorp United Inc., ER-2001-672 (OPC)  
Aquila, Inc., GO-2002-175 (OPC)  
AmerenUE, ER-2002-001 (OPC)  
Laclede Gas Company, GA-2002-429 (OPC)  
AmerenUE, GR-2003-0517 (OPC)  
Algonquin Water Resources of Missouri & Silverleaf Resort, Inc. WO-2005-0206 (OPC)  
Kansas City Power & Light Company, Case No. EO-2005-0329 (OPC)  
Empire District Electric Company, Case No. ER-2006-0315 (OPC)  
Kansas City Power & Light Company, Case No. ER-2006-0314 (OPC)  
Atmos Energy Corporation, Case No. GR-2006-0387 (OPC)  
Missouri Gas Energy, Case No. GR-2006-0422 (OPC)  
Aquila, Inc., ER-2007-0004 (OPC)  
Missouri American Water Company, WR-2007-0216, (OPC)  
Kansas City Power & Light Company, ER-2007-0291 (OPC)  
Kansas City Power & Light Company/Aquila, Inc., EM-2007-0374 (OPC)

Rebuttal Testimony  
Russell W. Trippensee  
Case No. ER-2010-0130

Laclede Gas Company, GU-2007-0138 (OPC); AAO on Cold Weather Rule  
Laclede Gas Company, GT-2009-0026: PGA inclusion of Uncollectible  
Kansas City Power & Light Company, ER-2009-0089; Fleet Fuel Costs, Rate Case Expense  
KCPL Greater Missouri Operations Company, ER-2009-0090, Rate Case Expense  
Missouri Gas Energy, GR-2009-0355, Bad Debt Expense  
AmerenUE, ER-2010-0036, Interim Rate Increase  
AmerenUE, ER-2010-0036, Rate Case Expense  
Empire District Electric Company, ER-2010-0130, Rate Case Expense Recovery Mechanism

THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. A 25<sup>th</sup> Revised Sheet No. 1

Canceling P.S.C. Mo. No. 5 Sec. A 24<sup>th</sup> Revised Sheet No. 1

For ALL TERRITORY

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DATE OF ISSUE October 29, 2009 DATE EFFECTIVE November 28, 2009

ISSUED BY W. Scott Keith, Director, Joplin, MO



THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 1 15<sup>th</sup> Revised Sheet No. 1

Canceling P.S.C. Mo. No. 5 Sec. 1 14<sup>th</sup> Revised Sheet No. 1

For ALL TERRITORY

**RESIDENTIAL SERVICE  
SCHEDULE RG**

**AVAILABILITY:**

This schedule is available for residential service to single-family dwellings or to multi-family dwellings within a single building. This schedule is not available for service through a single meter to two or more separate buildings each containing one or more dwelling units.

**MONTHLY RATE:**

	Summer Season	Winter Season
Customer Charge.....	\$ 13.21	\$ 13.21
The first 600-kWh, per kWh.....	0.1133	0.1133
Additional kWh, per kWh.....	0.1133	0.0771

The Summer Season will be the first four monthly billing periods billed on and after June 16, and the Winter Season will be the remaining eight monthly billing periods of the calendar year.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**RESIDENTIAL CONSERVATION ADJUSTMENT:**

The above energy charge will be adjusted in an amount provided by the terms and provisions of Residential Conservation Service, Rider RCS, P.S.C. Mo. No. 5, Section 4, Sheet 7.

**PAYMENT:**

Bills will be due on or before twenty-one (21) days after the date thereof. If not paid on or before the due date, a late payment charge of 0.5% on the unpaid balance will be applied.

**GROSS RECEIPTS, OCCUPATION OR FRANCHISE TAXES:**

There will be added to the Customer's bill, as a separate item, an amount equal to the proportionate part of any license, occupation, franchise, gross or other similar fee or tax now or hereafter imposed upon the Company by any municipality or any other governmental authority, whether imposed by ordinance, franchise, or otherwise, in which the fee or tax is based upon a flat sum payment, a percentage of gross receipts, net receipts, or revenues from the sale of electric service rendered by the Company to the Customer. When such tax or fee is imposed on the Company as a flat sum or sums, the proportionate amount applicable to each Customer's bill shall be determined by relating the annual total of such sum(s) to the Company's total annual revenue from the service provided by this tariff within the jurisdiction of the governmental body and the number of customers located within that jurisdiction. The amounts shall be converted to a fixed amount per customer, so that the amount, when accumulated from all customers within the geographic jurisdiction of the governmental body, will equal the amount of the flat sum(s). The fixed amount per customer shall be divided by 12 and applied to each monthly bill as a separate line item. The amount shall remain the same until the flat sum may be changed by the governmental body, in which case this process shall be adjusted to the new flat sum. The amount shall be modified prospectively by the Company anytime it appears, on an annual basis, that the Company is either over-collecting or under-collecting the amount of the flat sum(s) by more than five percent (5%) on an annual basis. Bills will be increased in the proportionate amount only in service areas where such tax or fee is applicable.

**CONDITIONS OF SERVICE:**

1. Voltage, phase and frequency of energy supplied will be as approved by the Company.
2. Service will be furnished for the sole use of the Customer and will not be resold, redistributed or submetered, directly or indirectly.
3. Service will be supplied through a single meter unless otherwise authorized by the Company. The point of delivery and location of the meter will be at the building wall unless otherwise specifically designated and approved in advance by the Company for each exception.
4. If this schedule is used for service through a single meter to multiple-family dwellings within a single building, each Customer charge and kWh block will be multiplied by the number of dwelling units served in calculating each month's bill.
5. Welding, X-ray, or other equipment characterized by severe or fluctuating demands, will not be served.
6. Intermittent or seasonal service will not be provided.
7. Bills for service will be rendered monthly. At the option of the Company, however, the meters may be read bimonthly with the bill for the alternate month based upon an estimated kWh consumption.
8. The Company Rules and Regulations, P.S.C. Mo. No. 5, Section 5, are a part of this schedule.

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ISSUED BY Kelly S. Walters, Vice President, Joplin, MO

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 2 14<sup>th</sup> Revised Sheet No. 1

Canceling P.S.C. Mo. No. 5 Sec. 2 13<sup>th</sup> Revised Sheet No. 1

For ALL TERRITORY

COMMERCIAL SERVICE  
SCHEDULE CB

**AVAILABILITY:**

This schedule is available to any general service customer on the lines of the Company whose electric load is not in excess of 40 kW, except those who are conveying electric service received to others whose utilization of same is for residential purposes other than transient or seasonal. Motels, hotels, inns, resorts, etc., and others who provide transient rooms and/or board service and/or provide service to dwellings on a transient or seasonal basis are not excluded from the use of this rate. The Company reserves the right to determine the applicability or the availability of this rate to any specific applicant for electric service.

**MONTHLY RATE:**

	Summer Season	Winter Season
Customer Charge .....	\$ 18.65	\$ 18.65
The first 700-kWh, per kWh .....	0.1260	0.1260
Additional kWh, per kWh .....	0.1260	0.0956

The Summer Season will be the first four monthly billing periods billed on and after June 16, and the Winter Season will be the remaining eight monthly billing periods of the calendar year.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**PAYMENT:**

Bills will be due on or before twenty-one (21) days after the date thereof. If not paid, the above rate plus 5% then applies.

**GROSS RECEIPTS, OCCUPATION OR FRANCHISE TAXES:**

There will be added to the Customer's bill, as a separate item, an amount equal to the proportionate part of any license, occupation, franchise, gross or other similar fee or tax now or hereafter imposed upon the Company by any municipality or any other governmental authority, whether imposed by ordinance, franchise, or otherwise, in which the fee or tax is based upon a flat sum payment, a percentage of gross receipts, net receipts, or revenues from the sale of electric service rendered by the Company to the Customer. When such tax or fee is imposed on the Company as a flat sum or sums, the proportionate amount applicable to each Customer's bill shall be determined by relating the annual total of such sum(s) to the Company's total annual revenue from the service provided by this tariff within the jurisdiction of the governmental body and the number of customers located within that jurisdiction. The amounts shall be converted to a fixed amount per customer, so that the amount, when accumulated from all customers within the geographic jurisdiction of the governmental body, will equal the amount of the flat sum(s). The fixed amount per customer shall be divided by 12 and applied to each monthly bill as a separate line item. The amount shall remain the same until the flat sum may be changed by the governmental body, in which case this process shall be adjusted to the new flat sum. The amount shall be modified prospectively by the Company anytime it appears, on an annual basis, that the Company is either over-collecting or under-collecting the amount of the flat sum(s) by more than five percent (5%) on an annual basis. Bills will be increased in the proportionate amount only in service areas where such tax or fee is applicable.

**CONDITIONS OF SERVICE:**

1. The voltage, phase and frequency of energy supplied will be as approved by the Company.
2. Service will be furnished for the sole use of the Customer and will not be resold, redistributed or submetered, directly or indirectly.
3. Service will be supplied through a single meter unless otherwise authorized by the Company. The point of delivery and location of the meter will be at the building wall unless otherwise specifically designated and approved in advance by the Company for each exception.
4. Where the Customer's use of welding, or other equipment characterized by fluctuating or severe demands, necessitates the installation of additional or increased facilities (including distribution transformers, service conductors or secondaries) solely to serve such Customer, the applicable provisions of Rider XC will apply in amendment to the provisions of this schedule.
5. Living quarters incidental to commercial or industrial operations in the same building will only be served together with these operations through a single meter and billed under this or other applicable commercial industrial rates. Living quarters detached from commercial or industrial buildings will only be served under applicable residential schedules.

THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 2 14<sup>th</sup> Revised Sheet No. 2

Canceling P.S.C. Mo. No. 5 Sec. 2 13<sup>th</sup> Revised Sheet No. 2

For ALL TERRITORY

**SMALL HEATING SERVICE  
SCHEDULE SH**

**AVAILABILITY:**

This schedule is available to any general service customer on the lines of the Company whose average load is not in excess of 40 kW during the Summer Season and where the electric service supplied is the only source of energy at the service location and the customer permanently installs and regularly uses electric space-heating equipment for all internal space-heating comfort requirements. However, this schedule is not available to those who are conveying electric service received to others whose utilization of same is for residential purposes other than transient or seasonal. Motels, hotels, inns, resorts, etc., and others who provide transient rooms and/or board service and/or provide service to dwellings on a transient or seasonal basis are not excluded from the use of this rate. The Company reserves the right to determine the applicability or the availability of this rate to any specific applicant for electric service.

**MONTHLY RATE:**

	Summer Season	Winter Season
Customer Charge.....	\$ 18.65	\$ 18.65
The first 700-kWh, per kWh.....	0.1255	0.1255
Additional kWh, per kWh.....	0.1255	0.0743

The Summer Season will be the first four monthly billing periods billed on and after June 16, and the Winter Season will be the remaining eight monthly billing periods of the calendar year.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**PAYMENT:**

Bills will be due on or before twenty-one (21) days after the date thereof. If not paid, the above rate plus 5% then applies.

**GROSS RECEIPTS, OCCUPATION OR FRANCHISE TAXES:**

There will be added to the Customer's bill, as a separate item, an amount equal to the proportionate part of any license, occupation, franchise, gross or other similar fee or tax now or hereafter imposed upon the Company by any municipality or any other governmental authority, whether imposed by ordinance, franchise, or otherwise, in which the fee or tax is based upon a flat sum payment, a percentage of gross receipts, net receipts, or revenues from the sale of electric service rendered by the Company to the Customer. When such tax or fee is imposed on the Company as a flat sum or sums, the proportionate amount applicable to each Customer's bill shall be determined by relating the annual total of such sum(s) to the Company's total annual revenue from the service provided by this tariff within the jurisdiction of the governmental body and the number of customers located within that jurisdiction. The amounts shall be converted to a fixed amount per customer, so that the amount, when accumulated from all customers within the geographic jurisdiction of the governmental body, will equal the amount of the flat sum(s). The fixed amount per customer shall be divided by 12 and applied to each monthly bill as a separate line item. The amount shall remain the same until the flat sum may be changed by the governmental body, in which case this process shall be adjusted to the new flat sum. The amount shall be modified prospectively by the Company anytime it appears, on an annual basis, that the Company is either over-collecting or under-collecting the amount of the flat sum(s) by more than five percent (5%) on an annual basis. Bills will be increased in the proportionate amount only in service areas where such tax or fee is applicable.

**CONDITIONS OF SERVICE:**

1. The voltage, phase and frequency of energy supplied will be as approved by the Company.
2. Service will be furnished for the sole use of the Customer and will not be resold, redistributed or submetered, directly or indirectly.
3. Service will be supplied through a single meter unless otherwise authorized by the Company. The point of delivery and location of the meter will be at the building wall unless otherwise specifically designated and approved in advance by the Company for each exception.
4. Where the Customer's use of welding, or other equipment characterized by fluctuating or severe demands, necessitates the installation of additional or increased facilities (including distribution transformers, service conductors or secondaries) solely to serve such Customer, the applicable provisions of Rider XC will apply in amendment to the provisions of this schedule.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 2 14<sup>th</sup> Revised Sheet No. 3

Canceling P.S.C. Mo. No. 5 Sec. 2 13<sup>th</sup> Revised Sheet No. 3

For ALL TERRITORY

**GENERAL POWER SERVICE  
SCHEDULE GP**

**AVAILABILITY:**

This schedule is available for electric service to any general service Customer except those who are conveying electric service received to others whose utilization of same is purely for residential purposes other than transient or seasonal. Motels, hotels, inns, resorts, etc., and others who provide transient rooms and board service or room service and/or provide service to dwellings on a transient or seasonal basis are not excluded from the use of this rate. The Company reserves the right to determine the applicability or the availability of this rate to any specific applicant for electric service.

MONTHLY RATE:	Summer Season	Winter Season
CUSTOMER CHARGE.....	\$ 63.34	\$ 63.34
DEMAND CHARGE:		
Per kW of Billing Demand.....	6.69	5.22
FACILITIES CHARGE		
per kW of Facilities Demand .....	1.8885	1.8885
ENERGY CHARGE:		
First 150 hours use of Metered Demand, per kWh.....	0.1008	0.0604
Next 200 hours use of Metered Demand, per kWh .....	0.0646	0.0584
All additional kWh, per kWh.....	0.0584	0.0570

The Summer Season will be the first four monthly billing periods billed on and after June 16, and the Winter Season will be the remaining eight monthly billing periods of the calendar year. If an interval data recorder is required for billing purposes, the Customer Charge will be \$233.03.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**DETERMINATION OF BILLING DEMAND:**

The monthly Metered Demand will be determined from the highest fifteen minute integrated kilowatt demand registered during the month by a suitable demand meter. The monthly Billing Demand will be the monthly Metered Demand or 40 kW, whichever is greater.

**DETERMINATION OF MONTHLY FACILITIES DEMAND:**

The monthly Facilities Demand will be determined by a comparison of the current month's metered demand and the metered demand recorded in each of the previous 11 months. If there are less than 11 previous months of data, all available data from previous months will be used. The monthly Facilities Demand will be the maximum demand as determined by this comparison or 40 kW, whichever is greater.

**TRANSFORMER OWNERSHIP:**

Where the Customer supplies all facilities (other than metering equipment) for utilization of service at the voltage of the Company's primary line feeding to such location, a reduction of \$0.329 per kW will apply to the Facilities Charge.

**METERING ADJUSTMENT:**

The above rate applies for service metered at secondary voltage. Where service is metered at the voltage of the primary line feeding to such location, metered kilowatts and kilowatt-hours will be reduced prior to billing by multiplying metered kilowatts and kilowatt-hours by 0.9806.

**MINIMUM MONTHLY BILL:**

During any month in which service is rendered, the minimum monthly bill will be the Customer Charge plus the Demand Charge plus the Facilities Charge.

**PAYMENT:**

The above rate applies only if the bill is paid on or before fourteen (14) days after the date thereof. If not so paid, the above rate plus 5% then applies.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 2 15<sup>th</sup> Revised Sheet No. 4

Canceling P.S.C. Mo. No. 5 Sec. 2 14<sup>th</sup> Revised Sheet No. 4

For ALL TERRITORY

**LARGE POWER SERVICE  
SCHEDULE LP**

**AVAILABILITY:**

This schedule is available for electric service to any general service Customer except those who are conveying electric service received to others whose utilization of same is for residential purposes other than transient or seasonal. Motels, hotels, inns, resorts, etc., and others who provide transient room and board service or room service and/or provide service to dwellings on a transient or seasonal basis are not excluded from the use of this rate. The Company reserves the right to determine the applicability or the availability of this rate to any specific applicant for electric service.

MONTHLY RATE:	Summer Season	Winter Season
CUSTOMER CHARGE.....	\$ 234.24	\$ 234.24
<b>DEMAND CHARGE:</b>		
Per kW of Billing Demand .....	12.96	7.16
<b>FACILITIES CHARGE</b>		
per kW of Facilities Demand .....	1.5593	1.5593
<b>ENERGY CHARGE:</b>		
First 350 hours use of Metered Demand, per kWh .....	0.0634	0.0564
All additional kWh, per kWh.....	0.0343	0.0331

The Summer Season will be the first four monthly billing periods billed on and after June 16, and the Winter Season will be the remaining eight monthly billing periods of the calendar year.

To be eligible for this schedule, the customer agrees to provide, at the Customer's expense, an analog telephone line to the metering location(s), for use by the Company to retrieve interval metering data for billing and load research purposes. This telephone line must be available to the Company between the hours of midnight and 6:00am each day.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**DETERMINATION OF BILLING DEMAND:**

The monthly Metered Demand will be determined from the highest fifteen minute integrated kilowatt demand registered during the month by a suitable demand meter. The monthly Billing Demand will be the monthly Metered Demand, or 1000 kW, whichever is greater.

**DETERMINATION OF MONTHLY FACILITIES DEMAND:**

The monthly Facilities Demand will be determined by a comparison of the current month's metered demand and the metered demand recorded in each of the previous 11 months. If there are less than 11 previous months of data, all available data from previous months will be used. The monthly Facilities Demand will be the maximum demand as determined by this comparison or 1000 kW, whichever is greater.

**TRANSFORMER OWNERSHIP:**

If the Company supplies a standard transformer and secondary facilities, a secondary facility charge of \$0.3231 per kW of billing demand will apply, otherwise, Rider XC will apply, unless Customer supplies their own secondary facilities.

**SUBSTATION FACILITIES CREDIT:**

The above facilities charge does not apply if the stepdown-substation and transformer are owned by the Customer.

**METERING ADJUSTMENT:**

The above rate applies for service metered at primary voltage. Where service is metered at secondary voltage, metered kilowatts and kilowatt-hours will be increased prior to billing by multiplying metered kilowatts and kilowatt-hours by 1.0198.

Where service is metered at transmission voltage, metered kilowatts and kilowatt-hours will be reduced prior to billing by multiplying kilowatts and kilowatt-hours by 0.9742.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 2 14<sup>th</sup> Revised Sheet No. 6

Canceling P.S.C. Mo. No. 5 Sec. 2 13<sup>th</sup> Revised Sheet No. 6

For ALL TERRITORY

**FEED MILL AND GRAIN ELEVATOR SERVICE  
SCHEDULE PFM**

**AVAILABILITY:**

This schedule is available for electric service to any custom feed mill or grain elevator.

**MONTHLY RATE:**

	Summer Season	Winter Season
Customer Charge .....	\$ 26.16	\$ 26.16
The first 700-kWh, per kWh .....	0.1703	0.1703
Additional kWh, per kWh .....	0.1703	0.1549

**PAYMENT:**

The above rate applies only if the bill is paid on or before twenty-one (21) days after the date thereof. If not so paid, the above rate plus 5% then applies.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**GROSS RECEIPTS, OCCUPATION OR FRANCHISE TAXES:**

There will be added to the Customer's bill, as a separate item, an amount equal to the proportionate part of any license, occupation, franchise, gross or other similar fee or tax now or hereafter imposed upon the Company by any municipality or any other governmental authority, whether imposed by ordinance, franchise, or otherwise, in which the fee or tax is based upon a flat sum payment, a percentage of gross receipts, net receipts, or revenues from the sale of electric service rendered by the Company to the Customer. When such tax or fee is imposed on the Company as a flat sum or sums, the proportionate amount applicable to each Customer's bill shall be determined by relating the annual total of such sum(s) to the Company's total annual revenue from the service provided by this tariff within the jurisdiction of the governmental body and the number of customers located within that jurisdiction. The amounts shall be converted to a fixed amount per customer, so that the amount, when accumulated from all customers within the geographic jurisdiction of the governmental body, will equal the amount of the flat sum(s). The fixed amount per customer shall be divided by 12 and applied to each monthly bill as a separate line item. The amount shall remain the same until the flat sum may be changed by the governmental body, in which case this process shall be adjusted to the new flat sum. The amount shall be modified prospectively by the Company anytime it appears, on an annual basis, that the Company is either over-collecting or under-collecting the amount of the flat sum(s) by more than five percent (5%) on an annual basis. Bills will be increased in the proportionate amount only in service areas where such tax or fee is applicable.

**CONDITIONS OF SERVICE:**

1. The voltage, phase and frequency of energy supplied will be as approved by the Company.
2. Service will be supplied through a single meter unless otherwise authorized by the Company. The point of delivery and location of the meter will be at the building wall unless otherwise specifically designated and approved in advance by the Company for each exception.
3. Service will be furnished for the sole use of the Customer and will not be resold, redistributed or submetered, directly or indirectly.
4. The term of service will not be less than one (1) year. Intermittent or seasonal service will not be provided.
5. Bills for service will be rendered monthly.
6. The Company Rules and Regulations, P.S.C. Mo. No. 5, Section 5, are a part of this schedule.
7. No new customers will be accepted on this rate.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 2 14<sup>th</sup> Revised Sheet No. 7

Canceling P.S.C. Mo. No. 5 Sec. 2 13<sup>th</sup> Revised Sheet No. 7

For ALL TERRITORY

**TOTAL ELECTRIC BUILDING SERVICE  
SCHEDULE TEB**

**AVAILABILITY:**

This schedule is available to any general services customers on the lines of the Company for total electric service except those customers who are conveying electric service to others whose utilization of the same is for residential purposes other than transient or seasonal. Motels, hotels, inns, etc., and others who provide transient room and/or room and board service and/or provide service to dwellings on a transient or seasonal basis are not excluded from the use of this rate. The Company reserves the right to determine the applicability or the availability of this rate to any specific applicant for electric service.

MONTHLY RATE:	Summer Season	Winter Season
CUSTOMER CHARGE.....	\$ 63.34	\$ 63.34
DEMAND CHARGE:		
Per kW of Billing Demand.....	3.12	2.56
FACILITIES CHARGE		
per kW of Facilities Demand.....	1.8885	1.8885
ENERGY CHARGE:		
First 150 hours use of Metered Demand, per kWh.....	0.1175	0.0629
Next 200 hours use of Metered Demand, per kWh.....	0.0754	0.0594
All additional kWh, per kWh.....	0.0682	0.0576

The Summer Season will be the first four monthly billing periods billed on and after June 16, and the Winter Season will be the remaining eight monthly billing periods of the calendar year. If an interval data recorder is required for billing purposes, the Customer Charge will be \$233.03.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**DETERMINATION OF BILLING DEMAND:**

The monthly Metered Demand will be determined from the highest fifteen minute integrated kilowatt demand registered during the month by a suitable demand meter. The monthly Billing Demand will be the monthly Metered Demand or 40 kW, whichever is greater.

**DETERMINATION OF MONTHLY FACILITIES DEMAND:**

The monthly Facilities Demand will be determined by a comparison of the current month's metered demand and the metered demand recorded in each of the previous 11 months. If there are less than 11 previous months of data, all available data from previous months will be used. The monthly Facilities Demand will be the maximum demand as determined by this comparison or 40 kW, whichever is greater.

**TRANSFORMER OWNERSHIP:**

Where the Customer supplies all facilities (other than metering equipment) for utilization of service at the voltage of the Company's primary line feeding to such location, a reduction of \$0.329 per kW will apply to the Facilities charge.

**METERING ADJUSTMENT:**

The above rate applies for service metered at secondary voltage. Where service is metered at the voltage of the primary line feeding to such location, metered kilowatts and kilowatt-hours will be reduced prior to billing by multiplying metered kilowatts and kilowatt-hours by 0.9806.

**MINIMUM MONTHLY BILL:**

During any month in which service is rendered, the minimum monthly bill will be the Customer charge plus the demand charge plus the Facilities Charge.

**PAYMENT:**

The above rate applies only if the bill is paid on or before fourteen (14) days after the date thereof. If not so paid, the above rate plus 5% then applies.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 2 10<sup>th</sup> Revised Sheet No. 9

Canceling P.S.C. Mo. No. 5 Sec. 2 9<sup>th</sup> Revised Sheet No. 9

For ALL TERRITORY

**SPECIAL TRANSMISSION SERVICE CONTRACT: PRAXAIR  
SCHEDULE SC-P**

**AVAILABILITY:**

This schedule is available for electric service to PRAXAIR, INC. (Customer) as stated in the contract for power service between THE EMPIRE DISTRICT ELECTRIC COMPANY (Company) and PRAXAIR, INC. ("the contract").

**MONTHLY RATE:**

	Summer Season	Winter Season
CUSTOMER CHARGE.....	\$ 233.03	\$ 233.03
ON-PEAK DEMAND CHARGE		
Per kW of Billing Demand.....	22.64	15.38
SUBSTATION FACILITIES CHARGE		
Per kW of Facilities Demand.....	0.45	0.45
ENERGY CHARGE, per kWh:		
On-Peak Period.....	0.0487	0.0346
Shoulder Period.....	0.0393	
Off-Peak Period.....	0.0304	0.0286

The Summer Season will be the first four monthly billing periods billed on and after June 16, and the Winter Season will be the remaining eight monthly billing periods of the calendar year. The On-Peak hours will be weekdays, excluding holidays, from 12:00 p.m. through 7:00 p.m. during the Summer Season and 6:00 a.m. through 10:00 p.m. during the Winter Season. The Shoulder hours will be weekends from 12:00 p.m. through 9:00 p.m. and weekdays from 9:00 a.m. through 12:00 p.m. and 7:00 p.m. through 10:00 p.m. during the Summer Season. All other hours are Off-Peak. Holidays include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, as specified by the North American Electric Reliability Council (NERC).

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**DETERMINATION OF DEMANDS (CPD, MFD, ID):**

An appropriate level of demand at the time of the Company's system peak shall be determined for PRAXAIR under this Schedule. This Customer Peak Demand ("CPD") shall be either PRAXAIR's actual maximum measured kW demand during a peak period, or a calculated amount based upon conditions involving PRAXAIR's actual or expected operations, and agreed upon between Company and PRAXAIR.

**DETERMINATION OF BILLING DEMAND:**

The monthly "On-Peak Demand" shall be determined as being the highest fifteen (15) minute integrated kilowatt demand registered by a suitable demand meter during the peak hours as stated above. In no event shall the Peak Demand be less than the lesser of 6000 kW or Customer's MFD for Customers that have contracted interruptible capacity as specified in the contract or any future amendments thereto.

**DETERMINATION OF MONTHLY FACILITIES DEMAND:**

The monthly "Substation Facilities Demand" shall be determined as being the highest fifteen (15) minute integrated demand registered by a suitable demand meter during all hours. In no event shall Substation Facility Demand, if applicable be less than the greater of 6000 kW and Customer's CPD for Customers that have contracted interruptible capacity as specified in the contract or any future amendments thereto.

**METERING ADJUSTMENT:**

The above rates apply for service metered at transmission voltage. Where service is metered at substation voltage, metered kilowatts and kilowatt-hours will be increased prior to billing by multiplying metered kilowatts and kilowatt-hours by 1.0086.

**MINIMUM MONTHLY BILL:**

The net minimum bill after any interruptible credits shall be the Customer Charge plus any Substation Facilities Charge times the CPD plus any Demand Charges applicable to the current MFD. In no event shall the interruptible credit be greater than the Demand Charge.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 2 9<sup>th</sup> Revised Sheet No. 13

Canceling P.S.C. Mo. No. 5 Sec. 2 8<sup>th</sup> Revised Sheet No. 13

For ALL TERRITORY

**SPECIAL TRANSMISSION SERVICE  
SCHEDULE ST**

**AVAILABILITY:**

This schedule is available for electric service to any general service Customer who has signed a service contract with THE EMPIRE DISTRICT ELECTRIC COMPANY. The Company shall supply, sell and deliver electric power at transmission or substation voltage, and the Customer shall take and pay for said power under the provisions of the contract.

**NET MONTHLY RATE:**

	Summer Season	Winter Season
CUSTOMER CHARGE.....	\$ 233.03	\$ 233.03
ON-PEAK DEMAND CHARGE		
Per kW of Billing Demand.....	22.64	15.38
SUBSTATION FACILITIES CHARGE		
Per kW of Facilities Demand.....	0.45	0.45
ENERGY CHARGE, per kWh:		
Peak Period.....	0.0487	0.0346
Shoulder Period.....	0.0393	
Off-Peak Period.....	0.0304	0.0286

The Summer Season will be the first four monthly billing periods billed on and after June 16, and the Winter Season will be the remaining eight monthly billing periods of the calendar year. The Peak hours will be weekdays, excluding holidays, from 12:00 p.m. through 7:00 p.m. during the Summer Season and 6:00 a.m. through 10:00 p.m. during the Winter Season. The Shoulder hours will be weekends from 12:00 p.m. through 9:00 p.m. and weekdays from 9:00 a.m. through 12:00 p.m. and 7:00 p.m. through 10:00 p.m. during the Summer Season. All other hours are Off-Peak.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**DETERMINATION OF BILLING DEMAND:**

The monthly "On-Peak Demand" shall be determined as being the highest fifteen (15) minute integrated kilowatt demand registered by a suitable demand meter during the peak hours as stated above. In no event shall Peak Demand be less than the lesser of 6000 kW or Customer's MFD for Customers that have contracted interruptible capacity as specified in the contract or any future amendments thereto.

**DETERMINATION OF MONTHLY FACILITIES DEMAND:**

The monthly "Substation Facilities Demand" if applicable, shall be determined as being the highest fifteen (15) minute integrated demand registered by a suitable demand meter during all hours. In no event shall Substation Facility Demand, if applicable, be less than the greater of 6000 kW and Customer's CPD for Customers that have contracted interruptible capacity as specified in the contract or any future amendments thereto.

**METERING ADJUSTMENT:**

The above rates apply for service metered at transmission voltage. Where service is metered at substation voltage, metered kilowatts and kilowatt-hours will be increased prior to billing by multiplying kilowatts and kilowatt-hours by 1.2070.

**MINIMUM MONTHLY BILL:**

Except as provided in the above-mentioned contract, the Minimum Monthly Bill shall be the Customer Charge plus the On-Peak Demand Charge plus any applicable Facilities Charge.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 3 15<sup>th</sup> Revised Sheet No. 1

Canceling P.S.C. Mo. No. 5 Sec. 3 14<sup>th</sup> Revised Sheet No. 1

For ALL TERRITORY

**MUNICIPAL STREET LIGHTING SERVICE  
SCHEDULE SPL**

**AVAILABILITY:**

This schedule is available to municipalities served by the Company under the provisions of an Electric Franchise having an original term of not less than ten (10) years, for outdoor lighting for streets, alleys, parks and public places under the provisions of the Company's standard Municipal Electric Service Agreement, having an original term of not less than two (2) years.

ANNUAL STREET LIGHTING CHARGE:	Annual Charge Per Lamp	Annual kWh	Watts
<b>Incandescent Lamp Sizes (No New Installation Allowed)</b>			
4,000 lumen .....	\$ 61.97	1,088	
10,000 lumen .....	127.52	2,331	
<b>Mercury-Vapor Lamp Sizes:</b>			
7,000 lumen .....	84.17	784	175
11,000 lumen .....	101.02	1,186	250
20,000 lumen .....	144.63	1,868	400
53,000 lumen .....	244.00	4,475	1000
<b>High-Pressure Sodium-Vapor Lamp Sizes (Lucalox, etc.):</b>			
6,000 lumen .....	78.88	374	70
16,000 lumen .....	98.73	694	150
27,500 lumen .....	128.49	1,271	250
50,000 lumen .....	183.12	1,880	400
130,000 lumen .....	295.51	4,313	1000
<b>Metal Halide Lamp Sizes:</b>			
12,000 lumen .....	123.43	696	175
20,500 lumen .....	151.27	1,020	250
36,000 lumen .....	202.36	1,620	400
110,000 lumen .....	447.16	4,056	1000

The monthly charge per lamp, is 1/12th of the annual charge.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**DETERMINATION OF ENERGY (kWh) USAGE FOR NON-METERED FIXTURES:**

The monthly energy for each type and size of lamp is determined by multiplying the annual kWh listed above, by the monthly usage factor listed in the table below:

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	12 month total
Usage Factor	.103	.089	.087	.075	.070	.064	.067	.073	.079	.091	.098	.104	1.00

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 3 19<sup>th</sup> Revised Sheet No. 2

Canceling P.S.C. Mo. No. 5 Sec. 3 18<sup>th</sup> Revised Sheet No. 2

For ALL TERRITORY

PRIVATE LIGHTING SERVICE  
SCHEDULE PL

**AVAILABILITY:**

This schedule is available for outdoor lighting service to any retail Customer.

**MONTHLY RATE:**

	<u>Per Lamp</u>	<u>Monthly kWh</u>	<u>Watts</u>
<b>STANDARD STREET LIGHTING CONSTRUCTION:</b>			
Mercury-Vapor Lamp Sizes (No new installations allowed):			
6,800 lumen .....	\$ 14.92	65	175
20,000 lumen .....	24.84	156	400
54,000 lumen .....	47.63	373	1000
Sodium-Vapor Lamp Sizes:			
6,000 lumen .....	13.79	31	70
16,000 lumen .....	20.06	58	150
27,500 lumen .....	29.00	106	250
50,000 lumen .....	33.63	157	400
Metal Halide Lamp Sizes:			
12,000 lumen .....	23.25	59	175
20,500 lumen .....	31.03	85	250
36,000 lumen .....	34.83	135	400
 <b>STANDARD FLOOD LIGHTING CONSTRUCTION:</b>			
Mercury-Vapor Lamp Sizes (No new installations allowed):			
20,000 lumen .....	34.83	156	400
54,000 lumen .....	57.49	373	1000
Sodium-Vapor Lamp Sizes:			
27,500 lumen .....	33.74	106	250
50,000 lumen .....	46.27	157	400
140,000 lumen .....	67.60	359	1000
Metal Halide Lamp Sizes:			
12,000 lumen .....	23.87	59	175
20,500 lumen .....	31.94	85	250
36,000 lumen .....	47.10	135	400
110,000 lumen .....	68.82	338	1000

**Additional Charge for installations requiring additions to, or rearrangement of, existing facilities:**

Regular wood pole, per month.....	\$	1.91	
Transformer .....		1.91	
Guy and anchor, per month .....		1.91	
Overhead conductor, three wire, per foot, per month.....		0.018	
Other (miscellaneous) per month.....		1.5% of the estimated installed cost thereof	

For installations requiring a large expenditure for additions to, or rearrangements of existing facilities, the total additional charge may be computed at 1.5% of the estimated installed cost thereof per month. Such estimated installed cost excludes the estimated installed cost of materials required for standard construction (see Conditions of Service, No. 1, below).

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**DETERMINATION OF ENERGY (kWh) FOR NON-METERED FIXTURES:**

The monthly energy (kWh) for each type and size of lamp is listed above.

THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 3 14<sup>th</sup> Revised Sheet No. 3

Canceling P.S.C. Mo. No. 5 Sec. 3 13<sup>th</sup> Revised Sheet No. 3

For ALL TERRITORY

**SPECIAL LIGHTING SERVICE  
SCHEDULE LS**

**AVAILABILITY:**

This schedule is available for electric service to sport field lighting, holiday decorative lighting or similar nighttime temporary or seasonal use.

**MONTHLY RATE:**

For the first 1,000 kWh used, per kWh..... \$ 0.1650  
For all additional kWh used, per kWh..... 0.1294

**MINIMUM:**

The net monthly minimum charge for any month during which electrical energy is used will be \$44.11.

**FUEL ADJUSTMENT CLAUSE:**

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

**CONSUMPTION:**

Service will normally be delivered and metered hereunder at the secondary voltage available at the service location. Where physical circumstances would normally make it necessary to meter the service at primary voltage, the Company may at its option install a time clock in place of primary metering facilities to measure the hours-use of the service and compute the kilowatt-hours' consumption of the sport field by using the customer's connected load. The connected load used for the calculation will be, determined at the time of installation and at such subsequent times as the Company may deem necessary by actual load check of the customer's facilities. Unmetered dusk to dawn service may be provided, in which case the connected load will be used to determine the kilowatt-hours consumed.

**INSTALLATION CHARGE:**

In addition to the above charges, a customer of temporary nature will be required to pay the net cost of erection and removal of any special facilities necessary to provide service. Such net cost will include the Company's total expenditure for labor, material, supervision and all other costs necessary to erect and remove facilities for service, less proper credit for actual salvage.

**PAYMENT:**

Bills will be due on or before twenty-one (21) days after the date thereof.

**GROSS RECEIPTS, OCCUPATION OR FRANCHISE TAXES:**

There will be added to the Customer's bill, as a separate item, an amount equal to the proportionate part of any license, occupation, franchise, gross or other similar fee or tax now or hereafter imposed upon the Company by any municipality or any other governmental authority, whether imposed by ordinance, franchise, or otherwise, in which the fee or tax is based upon a flat sum payment, a percentage of gross receipts, net receipts, or revenues from the sale of electric service rendered by the Company to the Customer. When such tax or fee is imposed on the Company as a flat sum or sums, the proportionate amount applicable to each Customer's bill shall be determined by relating the annual total of such sum(s) to the Company's total annual revenue from the service provided by this tariff within the jurisdiction of the governmental body and the number of customers located within that jurisdiction. The amounts shall be converted to a fixed amount per customer, so that the amount, when accumulated from all customers within the geographic jurisdiction of the governmental body, will equal the amount of the flat sum(s). The fixed amount per customer shall be divided by 12 and applied to each monthly bill as a separate line item. The amount shall remain the same until the flat sum may be changed by the governmental body, in which case this process shall be adjusted to the new flat sum. The amount shall be modified prospectively by the Company anytime it appears, on an annual basis, that the Company is either over-collecting or under-collecting the amount of the flat sum(s) by more than five percent (5%) on an annual basis. Bills will be increased in the proportionate amount only in service areas where such tax or fee is applicable.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 3 14<sup>th</sup> Revised Sheet No. 4

Canceling P.S.C. Mo. No. 5 Sec. 3 13<sup>th</sup> Revised Sheet No. 4

For ALL TERRITORY

MISCELLANEOUS SERVICE  
SCHEDULE MS

AVAILABILITY:

This schedule is available for electric service to signal systems or similar unmetered service and to temporary or seasonal use.

MONTHLY RATE:

Customer charge..... \$ 18.65  
For all energy used, per kWh..... \$ 0.0961

FUEL ADJUSTMENT CLAUSE:

The above charges will be adjusted in an amount provided by the terms and provisions of the Fuel Adjustment Clause, Rider FAC.

CONSUMPTION:

The connected load will be used to calculate the kilowatt-hours consumed on unmetered service.

INSTALLATION CHARGE:

In addition to the above charges, a customer of temporary nature will be required to pay the net cost of erection and removal of any special facilities necessary to provide service. Such net cost will include the Company's total expenditure for labor, material, supervision and all other costs necessary to erect and remove facilities for service, less proper credit for actual salvage.

PAYMENT:

Bills will be due on or before twenty-one (21) days after the date thereof.

GROSS RECEIPTS, OCCUPATION OR FRANCHISE TAXES:

There will be added to the Customer's bill, as a separate item, an amount equal to the proportionate part of any license, occupation, franchise, gross or other similar fee or tax now or hereafter imposed upon the Company by any municipality or any other governmental authority, whether imposed by ordinance, franchise, or otherwise, in which the fee or tax is based upon a flat sum payment, a percentage of gross receipts, net receipts, or revenues from the sale of electric service rendered by the Company to the Customer. When such tax or fee is imposed on the Company as a flat sum or sums, the proportionate amount applicable to each Customer's bill shall be determined by relating the annual total of such sum(s) to the Company's total annual revenue from the service provided by this tariff within the jurisdiction of the governmental body and the number of customers located within that jurisdiction. The amounts shall be converted to a fixed amount per customer, so that the amount, when accumulated from all customers within the geographic jurisdiction of the governmental body, will equal the amount of the flat sum(s). The fixed amount per customer shall be divided by 12 and applied to each monthly bill as a separate line item. The amount shall remain the same until the flat sum may be changed by the governmental body, in which case this process shall be adjusted to the new flat sum. The amount shall be modified prospectively by the Company anytime it appears, on an annual basis, that the Company is either over-collecting or under-collecting the amount of the flat sum(s) by more than five percent (5%) on an annual basis. Bills will be increased in the proportionate amount only in service areas where such tax or fee is applicable.

CONDITIONS OF SERVICE:

- 1. Service will be furnished for the sole use of the customer and will not be resold, redistributed, or submetered, directly or indirectly.
- 2. Voltage, phase, and frequency of service supplied will be as approved by the Company.
- 3. Bills for service will be rendered monthly. Where service is for temporary use, the bill for the current month's service will be rendered immediately on discontinuance of service.
- 4. The Company Rules and Regulations, P.S.C. Mo. No. 5, Section 5, are a part of this schedule.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 3 3<sup>rd</sup> Revised Sheet No. 6

Canceling P.S.C. Mo. No. 5 Sec. 3 2<sup>nd</sup> Revised Sheet No. 6

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 3 2<sup>nd</sup> Revised Sheet No. 7

Canceling P.S.C. Mo. No. 5 Sec. 3 1<sup>st</sup> Revised Sheet No. 7

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 3 2<sup>nd</sup> Revised Sheet No. 8

Canceling P.S.C. Mo. No. 5 Sec. 3 1<sup>st</sup> Revised Sheet No. 8

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THE EMPIRE DISTRICT ELECTRIC COMPANY

P.S.C. Mo. No. 5 Sec. 3 2<sup>nd</sup> Revised Sheet No. 9

Canceling P.S.C. Mo. No. 5 Sec. 3 1<sup>st</sup> Revised Sheet No. 9

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P.S.C. Mo. No. 5 Sec. 4 7<sup>th</sup> Revised Sheet No. 7

Canceling P.S.C. Mo. No. 5 Sec. 4 6<sup>th</sup> Revised Sheet No. 7

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