

EXHIBITS

**Motion for Summary Determination and Memorandum in Support
Case No. EC-2013-0377 et al
July 23, 2013**

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EXHIBIT 1

FERC Form 1 - p. 117, numbered p. 406, line 5

Name of Respondent		This Report Is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo, Da, Yr)	Year/Period of Report End of _____
HYDROELECTRIC GENERATING PLANT STATISTICS (Large Plants)				
1. Large plants are hydro plants of 10,000 Kw or more of installed capacity (name plate ratings) 2. If any plant is leased, operated under a license from the Federal Energy Regulatory Commission, or operated as a joint facility, indicate such facts in a footnote. If licensed project, give project number. 3. If net peak demand for 60 minutes is not available, give that which is available specifying period. 4. If a group of employees attends more than one generating plant, report on line 11 the approximate average number of employees assignable to each plant.				
Line No.	Item (a)	FERC Licensed Project No. Plant Name: (b)	FERC Licensed Project No. Plant Name: (c)	
1	Kind of Plant (Run-of-River or Storage)			
2	Plant Construction type (Conventional or Outdoor)			
3	Year Originally Constructed			
4	Year Last Unit was Installed			
5	Total installed cap (Gen name plate Rating in MW)			
6	Net Peak Demand on Plant-Megawatts (60 minutes)			
7	Plant Hours Connect to Load			
8	Net Plant Capability (in megawatts)			
9	(a) Under Most Favorable Oper Conditions			
10	(b) Under the Most Adverse Oper Conditions			
11	Average Number of Employees			
12	Net Generation, Exclusive of Plant Use - Kwh			
13	Cost of Plant			
14	Land and Land Rights			
15	Structures and Improvements			
16	Reservoirs, Dams, and Waterways			
17	Equipment Costs			
18	Roads, Railroads, and Bridges			
19	Asset Retirement Costs			
20	TOTAL cost (Total of 14 thru 19)			
21	Cost per KW of Installed Capacity (line 20 / 5)			
22	Production Expenses			
23	Operation Supervision and Engineering			
24	Water for Power			
25	Hydraulic Expenses			
26	Electric Expenses			
27	Misc Hydraulic Power Generation Expenses			
28	Rents			
29	Maintenance Supervision and Engineering			
30	Maintenance of Structures			
31	Maintenance of Reservoirs, Dams, and Waterways			
32	Maintenance of Electric Plant			
33	Maintenance of Misc Hydraulic Plant			
34	Total Production Expenses (total 23 thru 33)			
35	Expenses per net KWh			

EXHIBIT 2

FERC Form 1, Annual Report for the year 2012 - Union Electric

Name of Respondent UNION ELECTRIC COMPANY		This Report is: (1) <input checked="" type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission		Date of Report (Mo, Da, Yr) / /	Year/Period of Report End of 2012/Q4
HYDROELECTRIC GENERATING PLANT STATISTICS (Large Plants)					
<p>1. Large plants are hydro plants of 10,000 Kw or more of installed capacity (name plate ratings)</p> <p>2. If any plant is leased, operated under a license from the Federal Energy Regulatory Commission, or operated as a joint facility, indicate such facts in a footnote. If licensed project, give project number.</p> <p>3. If net peak demand for 60 minutes is not available, give that which is available specifying period.</p> <p>4. If a group of employees attends more than one generating plant, report on line 11 the approximate average number of employees assignable to each plant.</p>					
Line No.	Item (a)	FERC Licensed Project No. 459 Plant Name: Osage (b)	FERC Licensed Project No. 0 Plant Name: Keokuk (c)		
1	Kind of Plant (Run-of-River or Storage)	Storage	Run-of-River		
2	Plant Construction type (Conventional or Outdoor)	Conventional	Conventional		
3	Year Originally Constructed	1931	1913		
4	Year Last Unit was Installed	1953	1913		
5	Total installed cap (Gen name plate Rating in MW)	243.81	127.20		
6	Net Peak Demand on Plant-Megawatts (60 minutes)	239	147		
7	Plant Hours Connect to Load	8,421	8,760		
8	Net Plant Capability (in megawatts)				
9	(a) Under Most Favorable Oper Conditions	240	142		
10	(b) Under the Most Adverse Oper Conditions	235	141		
11	Average Number of Employees	25	28		
12	Net Generation, Exclusive of Plant Use - Kwh	298,261,000	754,072,000		
13	Cost of Plant				
14	Land and Land Rights	10,562,801	8,242,247		
15	Structures and Improvements	5,230,245	5,546,799		
16	Reservoirs, Dams, and Waterways	32,141,525	14,910,847		
17	Equipment Costs	83,059,560	119,838,985		
18	Roads, Railroads, and Bridges	77,445	114,926		
19	Asset Retirement Costs	0	0		
20	TOTAL cost (Total of 14 thru 19)	131,071,576	148,653,804		
21	Cost per KW of Installed Capacity (line 20 / 5)	537.5972	1,168.6620		
22	Production Expenses				
23	Operation Supervision and Engineering	153,800	226,428		
24	Water for Power	414,733	0		
25	Hydraulic Expenses	641,741	31,781		
26	Electric Expenses	505,534	475,391		
27	Misc Hydraulic Power Generation Expenses	1,530,167	1,773,101		
28	Rents	0	0		
29	Maintenance Supervision and Engineering	189,697	357,212		
30	Maintenance of Structures	554,423	103,161		
31	Maintenance of Reservoirs, Dams, and Waterways	36,252	52,860		
32	Maintenance of Electric Plant	216,831	604,700		
33	Maintenance of Misc Hydraulic Plant	327,177	236,302		
34	Total Production Expenses (total 23 thru 33)	4,570,355	3,860,936		
35	Expenses per net KWh	0.0153	0.0051		

EXHIBIT 3

FERC Form 1, Annual Report for the year 2012 - Empire Electric

Name of Respondent The Empire District Electric Company		This Report Is: (1) <input checked="" type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission		Date of Report (Mo, Da, Yr) 04/18/2013	Year/Period of Report End of 2012/Q4
HYDROELECTRIC GENERATING PLANT STATISTICS (Large Plants)					
<p>1. Large plants are hydro plants of 10,000 Kw or more of installed capacity (name plate ratings)</p> <p>2. If any plant is leased, operated under a license from the Federal Energy Regulatory Commission, or operated as a joint facility, indicate such facts in a footnote. If licensed project, give project number.</p> <p>3. If net peak demand for 60 minutes is not available, give that which is available specifying period.</p> <p>4. If a group of employees attends more than one generating plant, report on line 11 the approximate average number of employees assignable to each plant.</p>					
Line No.	Item (a)	FERC Licensed Project No. 2221 Plant Name: Ozark Beach (b)	FERC Licensed Project No. 0 Plant Name: (c)		
1	Kind of Plant (Run-of-River or Storage)	Run-of-River			
2	Plant Construction type (Conventional or Outdoor)	Conventional			
3	Year Originally Constructed	1913			
4	Year Last Unit was Installed	1930			
5	Total installed cap (Gen name plate Rating in MW)	16.00		0.00	
6	Net Peak Demand on Plant-Megawatts (60 minutes)	20		0	
7	Plant Hours Connect to Load	4,647		0	
8	Net Plant Capability (in megawatts)				
9	(a) Under Most Favorable Oper Conditions	20		0	
10	(b) Under the Most Adverse Oper Conditions	0		0	
11	Average Number of Employees	7		0	
12	Net Generation, Exclusive of Plant Use - Kwh	57,719,000		0	
13	Cost of Plant				
14	Land and Land Rights	226,488		0	
15	Structures and Improvements	677,760		0	
16	Reservoirs, Dams, and Waterways	3,576,145		0	
17	Equipment Costs	3,359,113		0	
18	Roads, Railroads, and Bridges	0		0	
19	Asset Retirement Costs	0		0	
20	TOTAL cost (Total of 14 thru 19)	7,839,506		0	
21	Cost per KW of Installed Capacity (line 20 / 5)	489.9691		0.0000	
22	Production Expenses				
23	Operation Supervision and Engineering	59,900		0	
24	Water for Power	30,570		0	
25	Hydraulic Expenses	6,737		0	
26	Electric Expenses	48,847		0	
27	Misc Hydraulic Power Generation Expenses	426,764		0	
28	Rents	0		0	
29	Maintenance Supervision and Engineering	63,094		0	
30	Maintenance of Structures	29,804		0	
31	Maintenance of Reservoirs, Dams, and Waterways	64,462		0	
32	Maintenance of Electric Plant	29,353		0	
33	Maintenance of Misc Hydraulic Plant	13,053		0	
34	Total Production Expenses (total 23 thru 33)	772,584		0	
35	Expenses per net KWh	0.0134		0.0000	

EXHIBIT 4

U.S. Energy Information Administration Annual Electric Generator Report

<http://www.eia.gov/survey/#eia-860>

EIA-860

Annual Electric Generator Report

Collects data on the status of existing electric generating plants and associated equipment in the United States, and those scheduled for initial commercial operation within 10 years of the filing of this report.

 PDF
 DOC
 E-file 

Vlad Dorjets
202-586-3141

 Instructions |  Instructions

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The data are disseminated in various EIA information products. The data are used by public and private analysts to monitor the current status and trends in the electric power industry and to evaluate the future of the industry. Form EIA-860 is completed by all existing plants and proposed (10-year plans) plants that: 1) have a total generator nameplate capacity (sum for generators at a single site) of 1 megawatt (1,000 kW) or greater; and 2) where the generator(s), or the facility in which the generator(s) resides, is connected to the local or regional electric power grid and has the ability to draw power from the grid or deliver power to the grid.

Survey respondents should submit data electronically using [EIA's secure Internet data collection system](#).

- Not registered? Email EIA-860@eia.gov
- Technical problem? Contact the [Survey Help Center](#)

Frequency of Collection: Annually

Number of Respondents: 1,953

Reporting Requirement: Mandatory

Legal Citation: Public Law 93-275 (Federal Energy Administration Act of 1974), Sec. 13(b), 5(a), 5(b), 52; Public Law 102-486 (Energy Policy Act of 1992), Sec. 1015

EXHIBIT 5

PURPA - What is a Qualifying Facility?

<http://www.ferc.gov/industries/electric/gen-info/qual-fac/what-is.asp>

The screenshot shows the FERC website interface. At the top left is the FERC logo and the text 'FEDERAL ENERGY REGULATORY COMMISSION'. To the right is a search bar and a dropdown menu for 'All of FERC'. Below this is a navigation menu with links for ABOUT, MEDIA, DOCUMENTS & FILINGS, INDUSTRIES, LEGAL RESOURCES, MARKET OVERSIGHT, ENFORCEMENT, CAREERS, and CONTACT US. A 'FOR CITIZENS' link is also present. On the left side, there is a vertical menu with categories: Electric, Annual Charges, Safety and Inspections, Environment, Industry Activities, General Information (highlighted), Regulated Entities, Electric Market-Based Rates, Mergers, Qualifying Facilities, Related Sites, Hydropower, Natural Gas, and Oil. The main content area is titled 'What is a Qualifying Facility?' and includes a breadcrumb trail: Industries >> Electric >> General Information >> Qualifying Facilities. A note states: '(Note: Some of the links on this page are to external sites and you will be leaving FERC's website)'. The text explains that the Public Utility Regulatory Policies Act of 1978 (PURPA) was implemented to encourage, among other things, five specific goals: 1. Conservation of electric energy, 2. Increased efficiency in the use of facilities and resources by electric utilities, 3. Equitable retail rates for electric consumers, 4. Expedient development of hydroelectric potential at existing small dams, and 5. Conservation of natural gas while ensuring that rates to natural gas consumers are equitable. It then describes two categories of qualifying facilities: 'small power production facilities' and 'cogeneration facilities'. The 'small power production facility' is defined as a generating facility of 80 MW or less whose primary energy source is renewable (hydro, wind or solar), biomass, waste, or geothermal resources. There are some limited exceptions to the 80 MW size limit that apply to certain facilities certified prior to 1995 and designated under section 3(17)(E) of the Federal Power Act (FPA) (16 U.S.C. § 796(17)(E)), which have no size limitation. In order to be considered a qualifying small power production facility, a facility must meet all of the requirements of 18 C.F.R. §§ 292.203(a), 292.203(c) and 292.204 for size and fuel use, and be certified as a QF pursuant to 18 C.F.R. § 292.207. The 'cogeneration facility' is defined as a generating facility that sequentially produces electricity and another form of useful thermal energy (such as heat or steam) in a way that is more efficient than the separate production of both forms of energy. For example, in addition to the production of electricity, large cogeneration facilities might provide steam for industrial uses in facilities such as paper mills, refineries, or factories, or for HVAC applications in commercial or residential buildings. Smaller cogeneration facilities might provide hot water for domestic heating or other useful applications. In order to be considered a qualifying cogeneration facility, a facility must meet all of the requirements of 18 C.F.R. §§ 292.203(b) and 292.205 for operation, efficiency and use of energy output, and be certified as a QF pursuant to 18 C.F.R. § 292.207. There is no size limitation for qualifying cogeneration facilities. On the right side, there are three yellow boxes: 'CONTACT' with technical and legal contact information, 'QUALIFYING FACILITIES' with a list of links, and 'QUICK LINKS' with a list of frequently used links.

Electric >> **Industries** >> **Electric** >> **General Information** >> **Qualifying Facilities**

What is a Qualifying Facility?

(Note: Some of the links on this page are to external sites and you will be leaving FERC's website)

The Public Utility Regulatory Policies Act of 1978 (PURPA) was implemented to encourage, among other things,

1. The conservation of electric energy,
2. Increased efficiency in the use of facilities and resources by electric utilities,
3. Equitable retail rates for electric consumers,
4. Expedient development of hydroelectric potential at existing small dams, and
5. Conservation of natural gas while ensuring that rates to natural gas consumers are equitable.

One of the ways PURPA set out to accomplish its goals was through the establishment of a new class of generating facilities which would receive special rate and regulatory treatment. Generating facilities in this group are known as qualifying facilities (QFs), and fall into two categories: qualifying small power production facilities and qualifying cogeneration facilities.

A **small power production facility** is a generating facility of 80 MW or less whose primary energy source is renewable (hydro, wind or solar), biomass, waste, or geothermal resources. There are some limited exceptions to the 80 MW size limit that apply to certain facilities certified prior to 1995 and designated under section 3(17)(E) of the Federal Power Act (FPA) (16 U.S.C. § 796(17)(E)), which have no size limitation. In order to be considered a qualifying small power production facility, a facility must meet all of the requirements of 18 C.F.R. §§ 292.203(a), 292.203(c) and 292.204 for size and fuel use, and be certified as a QF pursuant to 18 C.F.R. § 292.207.

A **cogeneration facility** is a generating facility that sequentially produces electricity and another form of useful thermal energy (such as heat or steam) in a way that is more efficient than the separate production of both forms of energy. For example, in addition to the production of electricity, large cogeneration facilities might provide steam for industrial uses in facilities such as paper mills, refineries, or factories, or for HVAC applications in commercial or residential buildings. Smaller cogeneration facilities might provide hot water for domestic heating or other useful applications. In order to be considered a qualifying cogeneration facility, a facility must meet all of the requirements of 18 C.F.R. §§ 292.203(b) and 292.205 for operation, efficiency and use of energy output, and be certified as a QF pursuant to 18 C.F.R. § 292.207. There is no size limitation for qualifying cogeneration facilities.

CONTACT

Technical
Donna Stratton
Telephone: 202-502-8398
Email: donna.stratton@ferc.gov

Legal
S.L. Higginbottom
Telephone: 202-502-8561
Email: samuel.higginbottom@ferc.gov

QUALIFYING FACILITIES

- [What is a Qualifying Facility?](#)
- [What Are the Benefits of QF Status?](#)
- [How to Obtain QF Status for Your Facility](#)
- [Self-Certification](#)
- [Application for Commission Certification](#)
- [Notice Requirements](#)
- [Major Qualifying Facility \(QF\) Orders](#)
- [Geographic Coordinates](#)

QUICK LINKS

- [FAQs: Qualifying Facilities \(QF\)](#)
- [Form No. 558 PDF](#) (updated 8/3/10)
- [18 C.F.R. § 131.80 PDF](#)
- [18 C.F.R. Part 292 PDF](#)
- [Filing Fees](#)
- [Order No. 732 PDF](#)
- [Cogeneration facilities order on rehearing Order No. 871-A PDF](#)

EXHIBIT 6

Ameren Corporate Fact Sheet

<http://www.ameren.com/AboutAmeren/Documents/AmerenCorporateFactSheet.pdf>



NYSE TICKER SYMBOL: AEE
ADDRESS: One Ameren Plaza
1901 Chouteau Avenue
St. Louis, MO 63103

WEB ADDRESS: Ameren.com

HISTORY

Ameren Corporation (Ameren) is the parent holding company of:

- **Ameren Illinois**, based in Collinsville, Ill., and
- **Ameren Missouri**, based in St. Louis, Mo.

Ameren was incorporated in Missouri on Aug. 7, 1995. On Dec. 31, 1997, CIPSCO Incorporated and Union Electric combined. In 2003, Ameren grew with the acquisition of CILCORP Inc., parent of Central Illinois Light Company, and in 2004, Ameren acquired Illinois Power Company from Dynegy Inc.

The three Illinois utilities operated as **AmerenCIPS**, **AmerenCILCO** and **AmerenIP** until Oct. 1, 2010, when the Illinois utilities completed a reorganization into a single public utility—**Ameren Illinois Company**. In addition to the Illinois utilities merger, Union Electric, which had been doing business as **AmerenUE**, began doing business as **Ameren Missouri** on Oct. 1. The merger of the Illinois utilities did not result in a combination of rates; instead, there are three rate zones, where the pricing differential for certain rates or riders is preserved.

Ameren employees, totaling approximately 9,000, provide energy services to approximately 2.4 million electric customers and 900,000 natural gas customers across 64,000 square miles in Illinois and Missouri.

Ameren includes among its subsidiaries, in addition to Ameren Illinois and Ameren Missouri, the following operating entities:

- **Ameren Energy Resources Company, LLC**, based in Collinsville, Ill., the holding company for merchant generation, development, marketing and fuels services companies—**Ameren Energy Generating Company**, **Ameren Energy Marketing Company**; and

Ameren Energy Resources Generating Company.

- **Ameren Services**, based in St. Louis, provides support services to the corporation.
- **Ameren Transmission Company**, based in St. Louis, was formed in July 2010. It is dedicated to electric transmission infrastructure investment and expanding Ameren's transmission system.

ELECTRIC UTILITIES

Ameren Illinois

Ameren Illinois' Rate Zone I, formerly AmerenCIPS, provides electric service in 70 counties throughout a 20,500-square-mile area. Ameren Illinois' Rate Zone I today serves nearly 400,000 retail electric customers in 576 communities with a service territory that includes more than 7 percent of the state's population and 35 percent of its surface area—including Quincy and East St. Louis to the west and Mattoon and Marion to the east and south.

Ameren Illinois' Rate Zone II, formerly AmerenCILCO, provides electric service to approximately 210,000 customers in 19 counties, serving towns in east and central Illinois. Ameren Illinois' Rate Zone II provides electric services to Peoria and 26 surrounding communities.

Ameren Illinois' Rate Zone III, formerly AmerenIP, provides electric service to about 626,000 electric customers—an aggregate population of 1.5 million—in 313 incorporated municipalities across 15,000 square miles of central, east central and southern Illinois. Ameren Illinois' Rate Zone III provides electric service to nine cities with populations greater than 30,000, including Danville, Decatur, Belleville, Bloomington-Normal, Champaign-Urbana, Galesburg and Granite City.

Ameren Illinois Company procures electricity on an annual basis for its retail customers through a procurement process managed by the Illinois Power Agency with oversight from the Illinois Commerce Commission (ICC).

Ameren Missouri

Founded in 1902, Union Electric—now known as Ameren Missouri—is the state's largest electric utility. Ameren Missouri provides electric service to

approximately 1.2 million customers across central and eastern Missouri, including the greater St. Louis area. Ameren Missouri provides electric service to 63 counties and more than 500 towns. More than half (53 percent) of Ameren Missouri's electric customers are located in the St. Louis and St. Louis County area.

ELECTRIC GENERATION

Ameren companies' generating capacity is approximately 15,800 megawatts (MW), including Ameren's 80 percent share of the Electric Energy, Inc., Joppla, Ill., generating facilities. All capacity numbers shown here reflect net generating capacity.

REGULATED OPERATIONS

Ameren Missouri Facilities:

Coal-fired Facilities

- **Labadie Energy Center**
Franklin County, Mo.
Capacity: 2,374 MW,
Began Operation: 1970
- **Meramec Energy Center**
St. Louis County, Mo.
Capacity: 833 MW
Began Operation: 1953
- **Rush Island Energy Center**
Jefferson County, Mo.
Capacity: 1,182 MW
Began Operation: 1976
- **Sioux Energy Center**
St. Charles County, Mo.
Capacity: 972 MW
Began Operation: 1967

Nuclear Facility

- **Callaway Energy Center**
Callaway County, Mo.
Capacity: 1,194 MW
Began Operation: 1984

Combustion Turbines (CTG):

Natural Gas or Oil-fired Facilities

- **Audrain Energy Center**
Audrain County, Mo.
Capacity: 582 MW
Purchased 2006
- **Goose Creek Energy Center**
Piatt County, Ill.
Capacity: 426 MW
Purchased 2006

AMEREN CORPORATE FACTS

- **Kimnudy Energy Center**
Marion County, Ill.
Capacity: 206 MW
Purchased 2005 from an affiliate;
Began Operation: 2001
 - **Peno Creek Energy Center**
Bowling Green, Mo.
Capacity: 188 MW
Began Operation: 2002
 - **Pinckneyville Energy Center**
Perry County, Ill.
Capacity: 312 MW
Purchased 2005 from an affiliate;
Began Operation: 2000
 - **Raccoon Creek Energy Center**
Clay County, Ill.
Capacity: 296 MW
Purchased 2006
 - **Venice Energy Center**
Venice, Ill.
Capacity: 487 MW
Began Operation: 2005
 - **Other Ameren Missouri CTG units total approximately 315 megawatts**
- ### Hydroelectric Facilities
- **Keokuk Energy Center**
Keokuk, Iowa
Capacity: 140 MW
Began Operation: 1913
 - **Osage Energy Center**
Lakeside, Mo.
Capacity: 240 MW
Began Operation: 1931
 - **Taum Sauk Energy Center**
(pumped storage)
Reynolds County, Mo.
Capacity: 440 MW
Began Operation: 1963
- ### Renewable Facility
- **Maryland Heights Renewable Energy Center**
Maryland Heights, Mo.
Capacity: 15 MW
Began Operation: 2012

EXHIBIT 7

Empire District Electric History

https://www.empiredistrict.com/About/History.aspx

Log In Register Forgot Password Forgot User Name

Home Newsroom MyAccount Outages

Home > About Us > History

The history of The Empire District Electric Company is closely interwoven with the story of the development of the four-state region. Although Empire was organized in 1909, tracing its history takes us back beyond the turn of the century for a look at a growing mining industry in the area.



The use of electric power in the mining industry had been untested prior to 1890. Individual zinc and lead miners used mules and hard labor to scratch out a living. The names of the mines, Yellow Dog, Grasshopper, Windy Bill, and Morning Star, were as colorful as the people who worked them. As mining companies sprung up across the tri-state region, electric motors began to replace the mule and steam powered engines in several of the mines.

Electricity generating companies were born in several locations across the region. These small companies appeared haphazardly to supply the new mining district with the power it demanded. On October 16, 1909, papers of incorporation were filed in Topeka, Kansas, bringing together Consolidated Light, Power and Ice Company, Spring River Power Company, The Galena Light and Power Company, and the Joplin Light, Power, and Water Company to form The Empire District Electric Company, under its parent company, Cities Services.

The formation of Empire marked the end of indiscriminate electrical development in the area, and was the beginning of a construction program designed to meet the needs of a growing region. The vision of the New York financiers who invested in this area is still alive today. Hoping to develop a financially feasible venture, they referred to this region as "Little Empire" to denote their pride in New York, the Empire State. To this day, the name Empire represents the history of mining development in this area.

At the time of its organization, Empire had 109 miles of transmission line, 8 megawatts of generating capacity, and 2,400 customers. Today, the Company utilizes over 1,200 miles of transmission line and over 1,300 megawatts of capacity to serve over 167,000 customers.

As industry grew and families moved into the four-state region, the demand for electrical power grew as well. Power for Empire was first produced from generation at the Lowell and Redings Mill hydroelectric plants. Soon, however, the demand for more generation became evident.

In the summer of 1909, work began on the Riverton Generating Station. Nine months later, it was complete. One of the generators at the plant was dubbed "Old Kate." Kate was famous for supplying power to the St. Louis World's Fair in 1904. Today, the Riverton Plant is still in operation, generating 286 megawatts of electricity. During the historic floods of 1993, overflow from Spring River flooded the plant. After this event, measures were enacted to minimize damage should future flooding occur. In 2007, Riverton greatly increased its capacity with the installation of Riverton Unit 12. This natural gas-fueled turbine is highly efficient and produces low emissions. With its six turbines, Riverton is one of the oldest operational power plants in the United States.

Construction of the Ozark Beach Dam began in 1911 in Taney County, Missouri. Two years later, the 1,300 foot long dam was complete. The dam forms Lake Taneycomo, a crystal clear lake stretching 22 miles throughout the picturesque Ozarks. Today, Ozark Beach Hydroelectric Plant supplies Empire with 16 megawatts of power and the Taney County area with a beautiful recreational area. Empire Park, located just above the dam, is a park maintained by Empire District. In 1999, the park was honored with the annual Advisory Council on Disabilities Community Award for the refurbishment and addition of handicap accessible facilities.

From 1910 to its independence from Cities Services, Empire had purchased 27 separate power companies to become the dominate provider of electric service in the region. In 1944, The Empire District Electric Company separated from its parent company. Empire's common stock was listed on the New York Stock Exchange under the symbol EDE in 1946.

From 1959 to 1966, Empire spent approximately \$25 million on construction, mostly on new transmission and distribution facilities, to handle the increased demand for electric energy. This construction program included new high-voltage transmission lines and new substations. It also included new transmission lines to tie Empire's system with neighboring electric companies, making Empire an important part of a vast power grid embracing the Midwest.

In the early 1960's, the need for more automation in Empire's operations was apparent. This realization brought about the construction of an operations and communications center in Joplin. System Operations was completed in 1964. Equipped with the latest design in electronic technology, this nerve center monitors and controls the production and power flow throughout the entire Empire system.

By the mid-60's, the energy needs of this growing and diverse economic region would once gain exceed the capacity of existing generation facilities. On September 10, 1967, just north of Asbury, Missouri, ground was broken for a 200-megawatt, coal-fired power plant. The \$26 million Asbury Generating Station was put into operation in June 1970.

Asbury was designed as a "mine-mouth" plant to burn coal from the Empire Mine located just north of the plant. Total plant capacity is approximately 210 megawatts. Unit One is rated at 193 megawatts. Unit Two, completed in 1986, generates 17 megawatts of energy from the excess boiler capacity of Unit One. In 1990, the plant was converted to use a blend of low-sulfur Wyoming coal and native coal to comply with new clean air standards. Further environmental upgrades were instituted in 2007 with the investment in a \$37 million selective catalytic reduction (SCR) system to the plant to further reduce nitrogen oxide (NOx) emissions.

Video
Celebrating A Century Of Service

Book
Century of Service - Part 1
Century of Service - Part 2
Century of Service - Part 3
Century of Service - Part 4
Century of Service - Part 5
Century of Service - Part 6

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Home Service Energy Solutions Investors Safety Careers Community Environmental Trees Fun

Water Service: 206-2300
Gas Service: 424-0427
Report a Gas Leak: 406-9220

Email: Empire Contacts

EXHIBIT 8

Empire District Electric Fast Facts

<https://www.empiredistrict.com/About/FastFacts.aspx>

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Electric & Water Service:
■ 800-206-2300

Gas Service:
■ 800-424-0427

Report a Gas Leak:
■ 800-406-9220

Email:
■ [Empire Contacts](#)

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Who we are, what we do, and where we are located -
 Founded in October 1909 as a part of Cities Services Company, The Empire District Electric Company is an investor owned, regulated utility company, based in Joplin, Missouri, that provides electric, natural gas (through its wholly owned subsidiary, The Empire District Gas Company), and water service, with approximately 215,000 customers in Missouri, Kansas, Oklahoma, and Arkansas. A subsidiary of the Company also provides fiber optic services. Empire has been listed on the New York Stock Exchange under EDE since 1946.

Some general information you might like to know (12/31/12) -

Population of Service Area	Over 450,000
Cities and Towns Served/Electric	119
Cities and Towns Served/Gas	48
Electric Customers	167,688
Gas Customers	43,991
Average Yearly Residential Usage (KWH)	13,163
Average Residential Price per KWH	\$0.1159
Average Commercial Price per KWH	\$0.1019
Average Industrial Price per KWH	\$0.0766
Employees	756
Owned Capability	1,391 MW
Purchased Capacity	65 MW
Operating Revenues (000)	\$557,097
Operating Income (000)	\$96,221
Net Income (000)	\$55,681
Earnings per Average Common Share	\$1.32
Dividends Paid	\$1.00
Gross Plant (000)	\$2,284,022
On-System Electric Sales (mWh)	4,912,970
On-System Gas Sales (000) (Mcf)	7,392

Power Plant	Power Plant Rating	Percent of Capacity
Asbury	203 MW	14.87%
Riverton	279 MW	20.04%
Energy Center	262 MW	18.82%
Ozark Beach	16 MW	1.15%
State Line Combined Cycle (our 60% ownership)	297 MW	21.34%
State Line Unit #1	94 MW	6.75%
Iatan (our 12% ownership)	190 MW	13.44%
Plum Point (our 7.5% ownership)	50 MW	3.59%
Total	1,391 MW	

Our highest demand -
 The Company's electric all-time summer peak load is 1,198 MW and occurred on August 2, 2011. The Company's all-time winter peak of 1,199 MW was set on January 8, 2010. The Company's gas maximum daily flow was a volume of 73,271 Mcf on January 7, 2010.

■ 602 S Joplin Avenue ■ PO Box 127 ■ Joplin, MO 64802 ■

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EXHIBIT 9

NAR Operating Rules - Section 7.4

NAR Operating Procedures

September 2010

resolved, the generation posting will be marked “Account Holder Disputed.” If the Account Holder does not register a dispute with the NAR Administrator, the Certificates will be created in 14 days.

For Multi-fuel Generators, RECs will not issue until the Account Holder both accepts the generation data and supplies supporting fuel allocation data. The Account Holder must submit to NAR the proportion of energy output to be allocated to each Fuel Type. The Account Holder provides the Fuel Type allocation via the Generation Data Review screen located in the Account Holder’s Asset Management Module. The fuel allocation information will remain available in NAR for audit purposes. Account Holders must retain for audit the work papers demonstrating how they determined the fuel allocation for each reporting period.

7.3 Certificate Creation for Accumulated Generation

Generation data from generators that have a Nameplate Capacity under 25kW and that are not reported to NAR on a monthly basis may be accumulated over one or more months prior to submittal to NAR for Certificate issuance. The vintage on the issued Certificate will be the last month and year of generation contributing to an accumulated MWh. Certificate creation for accumulated generation will occur on the same schedule as all other generation in NAR.

7.4 Data Fields Carried on Each Certificate

Each Certificate carries a list of data fields. These fields include:

DATA FIELD	COMMENTS
CERTIFICATE DATA:	
NAR ID	Unique ID assigned to each Asset record in NAR.
Asset Type	Used to identify if the issuance is based on a Generating Asset or an Energy Efficiency Asset
Asset Name	Name of Asset
Primary Facility Name	Name of facility
Certificate Vintage	Vintage of Generation
Certificate Serial Numbers	See details above
Quantity of Certificates	Total Certificates
Avoided Carbon, Green-e Climate Protocol (Metric Tons CO ₂ e)	If eligible, calculated based on resource type and location.
Avoided Carbon, US EPA Climate Leaders Protocol (Metric Tons CO ₂ e)	If eligible, calculated based on resource type and location.
Meter Data From: NA	
Meter Data To: NA	
Certificate Creation Date:	Date certificates were issued in NAR
Asset Documents/Attestations: View	Any associated documents (metering records etc.)
STATIC ASSET DATA:	
County	County facility is located in
State or Province	State or Province facility is located in
Country	Country facility is located in
NERC Region	NERC Region facility is located in
eGrid Sub-Region	eGRID Sub-Region facility is located in
Qualified Facility (Y/N)	Whether facility is a Qualifying Facility

Commenced Operation Date	Date the facility commenced operation
Fuel Type/Energy Source	Fuel Type abbreviation
Nameplate Capacity	Nameplate Capacity of facility
Reporting Entity Type	QRE or Self-reporting
Reporting Entity Contact Company or Organization name	Name of QRE, if applicable
Utility to which Facility is interconnected	Utility Interconnect
Repowered Indicator (Y/N)	Denotes whether facility is Repowered
Repowered Amount: NA	Denotes the portion, if applicable, of unit that is repowered
Repower date (required if Repowered Indicator = Y)	Date of repowering
Eligibility for State and Provincial RPS Selections	(not currently applicable)
ELIGIBILITY FOR VOLUNTARY PROGRAMS:	
MO	Denotes eligibility for the Missouri Renewable Electricity Standard
NC	Denotes eligibility for the North Carolina Renewable Energy and Energy Efficiency Standard
ELIGIBILITY FOR VOLUNTARY PROGRAMS:	
Green-e Energy Eligible	Denotes eligibility and, if applicable, certification number
Green-e Climate Eligible	Denotes eligibility and, if applicable, certification number
US EPA GPP Eligible	Denotes eligibility and, if applicable, certification number
LIHI Certified	Denotes eligibility and, if applicable, certification number

8 Certificate Errors and Correction

8.1 Generation Data Validity Check

All generation data received by NAR will undergo an automatic data validity check to ensure that erroneous and technically infeasible data is not entered into NAR. The data validity check will compare reported electricity production to an engineering estimate of maximum potential production, calculated as a function of technology type, associated maximum capacity factor, Nameplate Capacity, fuel (if relevant) and time period since the previous cumulative meter reading entered. If data entered exceeds an estimate of technically feasible generation, the NAR Administrator will be notified and the generation will be posted to the Certificate Data Loaded Log. The NAR Administrator will contact the Account Holder if the generation data entered is infeasible.

8.2 Certificate Errors Discovered After Certificate Issuance

Once a Certificate is created, no changes can be made to that Certificate. In the event that an error is discovered after Certificates have been issued, the NAR Administrator will take measures to rectify the problem depending on the nature and the egregiousness of the error. If the error is related to the number of Certificates issued, the NAR administrator will first attempt to rectify this by making an adjustment to the Generation

EXHIBIT 10

NAR Operating Rules - page v.

NAR Operating Procedures

September 2010

Generating Asset: One or more Generating Units that have been accepted by the NAR Administrator for listing in the Registry.

Generation Activity Log: The Generation Activity Log is an electronic ledger where generation is posted prior to Certificate creation. Each time generation data is received by NAR for a particular asset, the date and quantity of MWhs is posted to the Generation Activity Log. Adjustments received will be posted likewise.

Generation Month: The Generation Month is the calendar month in which the generation occurred.

General Account: This type of Account can hold, transfer (outgoing and incoming), and Retire certificates. A General Account can also register and maintain renewable energy projects and have RECs issued to it for its projects. A General Account is the only type of Account that can hold a Group Retirement Sub-account (see Section 3.4 below). This is the only account type that can retire RECs for compliance with the Missouri Renewable Electricity Standard.

Generator Account: This type of Account can register renewable energy projects and have RECs issued to it for its projects. A Generator Account can hold, transfer (only outgoing transfers), withdraw and Retire RECs. A Generator Account cannot receive transfers from other parties.

Inbox: Certificate transfers to an Account Holder are first posted in the Account Holder's Inbox. The Account Holders will then either accept or reject the transfer. Upon acceptance the certificates will be deposited in the sub-account designated by the Account Holder.

Indirect Owner: A third-party having Beneficial Ownership Rights in one or more Certificates held in an Account Holder's Group Retirement Sub-account.

Load-Serving Entity (LSE): Any organization selling retail electricity to end users, such as investor owned utilities, municipal utilities, and electric coops. Sometimes referred to as an "electric service provider." In NAR, LSE can also mean organizations that aggregate for member or customer LSEs.

Megawatt-hour (MWh): One thousand kilowatt-hours or 1 million watt-hours.

Multi-fuel Generator: A Multi-fuel Generator is one that is capable of producing energy using more than one Fuel Type, excluding fuels used for start-up (which in any case cannot exceed 1% of the fuel used annually on a total heat input basis). See Section 5.2 below

NAR Administrator: The NAR Administrator is the entity with the authority to administer or oversee the administration and implementation of the NAR Operating Rules. APX, Inc. serves as the Administrator of NAR.

EXHIBIT 11

NAR report listing all registered assets

Found at: <https://narenables2.apx.com/myModule/rpt/myrpt.asp?r=111>

NORTH AMERICAN Renewables Registry™																		
Home																Help		
NAR Projects																		
Account Holder Company	NAR ID	State	Asset	Facility Ownership Type	Multi-Fuel Indicator	Fuel/Project Type	Commenced Operation Date	Nameplate Capacity	MO	NC	KS	NY	IL	PR	Green-e Energy Eligible	Green-e Climate RE Protocol Eligible	US EPA GPP Eligible	LIHI Certified
AmerenUE	GEN160	IA	Keokuk - Keokuk	Investor-Owned Utility	No	Hydroelectric Water - Dam/Impoundment	1/1/1913	134	Yes	No	No	No	No	No	No	No	No	No
1 - 1 : 1																		
FIRST PREV GO TO NEXT LAST																		

DISCLAIMER: NEITHER THE NORTH AMERICAN RENEWABLES ADMINISTRATOR NOR APX KNOWS OR ENDORSES THE CREDITWORTHINESS OR REPUTATION OF ANY NORTH AMERICAN RENEWABLES ACCOUNT HOLDER LISTED IN THIS DIRECTORY

NORTH AMERICAN Renewables Registry™																		
Home																Help		
NAR Projects																		
Account Holder Company	NAR ID	State	Asset	Facility Ownership Type	Multi-Fuel Indicator	Fuel/Project Type	Commenced Operation Date	Nameplate Capacity	MO	NC	KS	NY	IL	PR	Green-e Energy Eligible	Green-e Climate RE Protocol Eligible	US EPA GPP Eligible	LIHI Certified
Empire District Electric Company	GEN99	MO	Ozark Beach - Ozark Beach Hydro	Investor-Owned Utility	No	Hydroelectric Water - Dam/Impoundment	1/1/1930	16	Yes	No	Yes	No	No	No	No	No	No	No
1 - 1 : 1																		
FIRST PREV GO TO NEXT LAST																		

DISCLAIMER: NEITHER THE NORTH AMERICAN RENEWABLES ADMINISTRATOR NOR APX KNOWS OR ENDORSES THE CREDITWORTHINESS OR REPUTATION OF ANY NORTH AMERICAN RENEWABLES ACCOUNT HOLDER LISTED IN THIS DIRECTORY

EXHIBIT 12

Empire Power Point Presentation – 2009-2013 Construction Plans, Nov. 4, 2007, Slide 8.



The Empire District Electric Company Generation-Ozark Beach

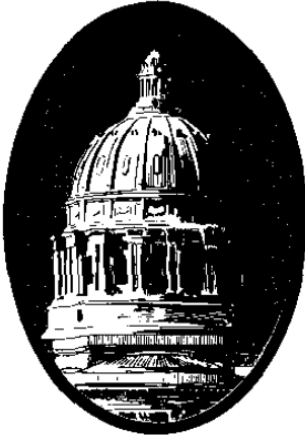
- 1913, Ozark Beach Dam was completed in Taney County Missouri
- Today, Ozark Beach Dam produces 16 MW of hydro-electricity
- The Dam is located Between Table Rock and Bull Shoals



8

EXHIBIT 13

Secretary of State's Certification of Ballot Title, Proposition C



STATE OF MISSOURI
Office of
Secretary of State

CERTIFICATION OF OFFICIAL BALLOT TITLE

I, Robin Carnahan, Secretary of State, in compliance with Section 116.180, RSMo, do hereby certify the following language as the official ballot title for the initiative petition for a proposed amendment to the Revised Statutes of Missouri, Chapter 393, version 5, as submitted by representatives of Henry Robertson on January 22, 2008. The official ballot title shall read as follows:

Shall Missouri law be amended to require investor-owned electric utilities, cooperative utilities, and certain municipal utilities to generate or purchase electricity from renewable energy sources such as solar, wind, biomass and hydropower with the renewable energy sources equaling at least 2% of retail sales by 2011 increasing incrementally to at least 15% by 2021, including at least 2% from solar energy; and restricting to no more than 1% any rate increase to consumers for this renewable energy?

The estimated direct cost to state governmental entities is \$549,683. It is estimated there are no direct costs or savings to local governmental entities. However, indirect costs may be incurred by state and local governmental entities if the proposal results in increased electricity retail rates.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of my office in the City of Jefferson, State of Missouri, on this 25th day of February, 2008.

A handwritten signature in black ink that reads "Robin Carnahan".

Secretary of State



EXHIBIT 14

Secretary of State's Box Receipt for Proposition C, Received May 4th, 2008



JAMES C. KIRKPATRICK
STATE INFORMATION CENTER
(573) 751-4936

ROBIN CARNAHAN
SECRETARY OF STATE
STATE OF MISSOURI

ELECTIONS DIVISION
(573) 751-2301

BOX RECEIPT

This is to acknowledge that on the 4th day of May 2008, Robin Carnahan, Secretary of State for the State of Missouri did receive 6 boxes of initiative petition pages on behalf of **Henry Robertson and PJ Wilson, 2008-031, relating to renewable energy.**

Receipt of this petition and issuance of this receipt does not constitute a determination by the Secretary of State that the petition was submitted in accordance with Chapter 116 RSMo.

** 1 box circulator forms MS*

Michael Bushman
Authorized Representative of the
Secretary of State

John C. Hegmann
Authorized Representative of the
Secretary of State

2008 MAY 4 PM 4:00

PO BOX 1767 • JEFFERSON CITY, MISSOURI • 65102
www.sos.mo.gov

EXHIBIT 15

Hoover Dam, Frequently Asked Questions and Answers

Found at: <http://www.usbr.gov/lc/hooverdam/faqs/powerfaq.html>

Hoover Dam Frequently Asked Questions and Answers

Hydropower at Hoover Dam

Hoover Dam generates, on average, about 4 billion kilowatt-hours of hydroelectric power each year for use in Nevada, Arizona, and California - enough to serve 1.3 million people. From 1939 to 1949, Hoover Powerplant was the world's largest hydroelectric installation; today, it is still one of the country's largest.

Where is the powerplant located?

In a U-shaped structure at the base of the dam. Each powerplant wing is 650 feet long (the length of almost 2 football fields) and rise 299 feet (nearly 20 stories) above the powerplant foundation. In all of the galleries of the plant there are 10 acres of floor space.



What is the capacity of the Hoover Powerplant?

There 17 main turbines in the Hoover Powerplant -- nine on the Arizona wing and eight on the Nevada wing. The original turbines were replaced through an uprating program between 1986 and 1993. The plant has a nameplate capacity of about 2,080 megawatts. This includes the two station-service units (small generating units that provide power for plant operations), which are rated at 2.4 megawatts each. With the main units having a combined rated capacity of 2,991,000 horsepower, and two station-service units rated at 3,500 horsepower each, the plant has a rated capacity of 2,998,000 horsepower.

How does the water reach the turbines?

Through four penstocks, two on each side of the river. Wicket gates control water delivery to the units.

Under what heads do the turbines operate?

Maximum head (vertical distance the water travels), 590 feet; minimum, 420 feet; average, 510 to 530 feet.

When were the power installations in the plant completed, and of what do they consist?

The installation of the last generating units was completed in 1961. A plant uprating was completed in 1993, so presently there are fifteen 178,000

EXHIBIT 16

Executive Order E0-97-97



STATE OF MISSOURI

**Office of
Secretary of State**

*To all to Whom these Presents
shall Come:*

I, Robin Carnahan, Secretary of State of the State of Missouri,
and Keeper of the Great Seal thereof, hereby certify that the
annexed pages contain a full, true and complete copy of form
as the same appears on file and of record in this office;

**Executive Order 97-97 related to administrative
rulemaking signed by Governor Mel Carnahan, June 27,
1997.**

IN TESTIMONY WHEREOF, I
hereunto set my hand and affix the
Great Seal of the State of Missouri.
Done at the City of Jefferson, this
27th day of July, 2010.



Comm. 15A (01-2005)

Robin Carnahan
Secretary of State

RECEIVED AND FILED

JUN 27 1997

EXECUTIVE ORDER
97-97

Rebecca McDowell Cook
SECRETARY OF STATE

WHEREAS, the citizens of the State of Missouri are entitled to a government where the Legislative and Executive Branches work collaboratively to effectively address challenges facing our society; and

WHEREAS, the Missouri Supreme Court held in the Missouri Coalition for the Environment v. Joint Committee on Administrative Rules, Case No. 78628 (Mo banc 1997), that the Legislative Branch may only "review regulatory action of the executive branch"; and

WHEREAS, the Executive Branch can benefit from input provided by the Legislative Branch; and

WHEREAS, it is necessary for the Executive Branch to preserve compelling governmental interests through the promulgation and adoption of certain rules; and

WHEREAS, Article IV Section 2 of the Constitution of the State of Missouri assigns to the governor the constitutional duty to "take care that the laws are distributed and faithfully executed..."; and

WHEREAS, the Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 850 has been truly agreed to and finally passed; and

WHEREAS, said bill purports to revoke the rulemaking authority of the Executive Branch unless the Executive Branch adopts by Executive Order certain time frames to allow the Legislative Branch sufficient time to review rules promulgated pursuant to the Executive Branch's constitutional and/or statutory authority; and

WHEREAS, the Executive Branch wishes to grant sufficient time to allow the Legislative Branch to review proposed final orders of rulemaking; and

WHEREAS, both the Legislative and Executive Branch understands the effectiveness of certain sections in said bill is contingent upon the rescission of this Executive Order

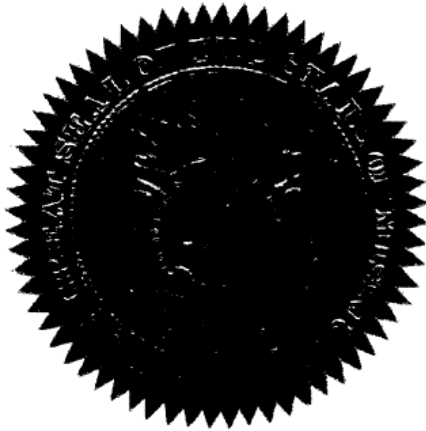
NOW, THEREFORE, I, Mel Carnahan, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order that each Executive Branch, department, agency, commission, and board, except for the Public Service Commission and the Labor and Industrial Relations Commission:

1. Shall concurrently submit any proposed order of rulemaking to the Secretary of State and the Joint Committee on Administrative Rules;
2. Shall not file a final order of rulemaking with the Secretary of State until thirty (30) days after such final order of rulemaking has been received by the Joint Committee on Administrative Rules;
3. Shall hold in abeyance for thirty (30) legislative days a final order of rulemaking if the final order of rulemaking has been disapproved by the Joint Committee on Administrative Rules within thirty (30) days of the Joint Committee on Administrative Rules receiving the final order of rulemaking.
4. Shall give force and effect to concurrent resolutions disapproving an administrative rule, or concurrent resolutions disapproving a proposed rule, only if the resolutions are signed by the Governor or approved by two-thirds of each house of the General Assembly after veto by the Governor, as provided in Article 3, Section 31 and 32, and Article 4, Section 8, of the Missouri Constitution;
5. Shall not give any force or effect to an action by the Joint Committee on Administrative Rules suspending a proposed rule after the expiration of thirty (30) legislative days from the date of the action of the Joint Committee on Administrative Rules disapproving a proposed rule, unless the Committee's

action has been ratified in the manner set forth in paragraph 4 immediately above.

The Executive Order No. 97-97 shall become effective immediately. If this Executive Order is rescinded, those sections in Senate Substitute for Senate Committee Substitute for House Substitute for House Bill 850 whose effectiveness is contingent upon Executive Order No. 97-97 being rescinded will become effective only upon the expiration of twenty days following the rescission of this Order. This Executive Order No. 97-97 shall not apply to those rules promulgated pursuant to Section 536.025. This Executive Order No. 79-97 shall remain in effect until rescinded by the Governor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 27th day of June, 1997.



Del Carnahan
GOVERNOR

ATTEST:

Rebecca M. Daell
SECRETARY OF STATE

EXHIBIT 17

Complainants' Responses to Empire's 1st Set of Data Requests in Consolidated Cases No. EC-2013-0377, EC-2013-0378

See below:

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Provide the following information for complainant Earth Island Institute d/b/a Renew Missouri:

- (a) The full name of each officer and each member of the complainant's board of directors;
- (b) A detailed description of the complainant's operations and activities in Missouri; and
- (c) The full name and job title(s) of each of the complainant's employees in Missouri.

Response:

- (a) The full name of each officer and each member of the complainant's board of directors:

Earth Island Institute d/b/a Renew Missouri ("Renew Missouri") has no Board of Directors. Renew Missouri is a project of Earth Island Institute Inc., a 501(c)(3) non-profit organization located in California. The Board of Directors for Earth Island Institute Inc. is listed below:

Martha Davis – President
Kenneth Brower – Vice President
Jennifer Snyder – Secretary
Alex Giedt – Treasurer
Barbara Brower – Director
Robert Wilkinson – Director, President Emeritus
John De Graaf – Director
Josh Floum – Director
Will Green - Director

- (b) A detailed description of the complainant's operations and activities in Missouri:

Renew Missouri is a non-profit group focused on advancing statewide policy on renewable energy and energy efficiency in Missouri. Renew Missouri was created in 2006, and has been a part of Earth Island Institute since 2011. Renew Missouri has approximately 10,000 supporters in Missouri. Renew Missouri's activities in Missouri include, but are not limited to, the following:

- Participating in administrative dockets before the Public Service Commission related to renewable energy and energy efficiency;

- Participating in and/or initiating legal actions to enforce Missouri's Renewable Energy Standard (RES) and other statewide policies relating to renewable energy and energy efficiency;
- Educating the Missouri public and urging the public to take action on issues related to renewable energy and energy efficiency;
- Educating Missouri legislators, administrative officials, regulators, and utilities on issues affecting renewable energy and energy efficiency policy;
- Developing and advocating for the enactment of effective policies for Missouri in the areas of renewable energy and energy efficiency.

(c) The full name and job title(s) of each of the complainant's employees in Missouri:

Patrick Wilson – Director

Andrew Linhares – Staff Attorney

Paul Rolfe – Communications and Development Associate

Sarah Johnson – Communications and Fundraising Associate

Response Provided By:  _____

Date: 06/12/2013

PJ Wilson

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Provide the following information for complainant Missouri Coalition for the Environment:

- (a) The full name and address of each officer and each member of the complainant's board of directors;
- (b) A detailed description of the complainant's operations and activities in Missouri; and
- (c) The full name and job title(s) of each of the complainant's employees in Missouri.

Response:

- (a) The full name and address of each officer and each member of the complainant's board of directors:

David Lobbig – President
Ralph Eglin Wafer – Vice President
Suzanne Loui – Secretary
Jim Rose – Treasurer
R. Martin Arthur – Director
Jeff DePew – Director
David Garin – Director
Arlene Sandler – Director
Eric Matthew Wilkinson – Director
Rebecca Wright – Director
Chris Burnette – Director

Address for above-listed officers and directors: 6267 Delmar Blvd., Suite 2E, St. Louis, MO 63130

- (b) A detailed description of the complainant's operations and activities in Missouri:

Missouri Coalition for the Environment is involved in the following operations and activities in Missouri:

Education:

- Provide resources and information on environmental issues in Missouri through our website.
- Distribute Alert newsletter two times a year to educate our membership on environmental issues in Missouri and our current campaigns.
- Send out regular emails to our members and other interested individuals regarding relevant environmental issues.
- Develop watershed planning resources to address point and nonpoint sources of pollution into Missouri's waters.
- Develop GIS maps to share geographical data with the public.

- Research foodshed data and draft reports on the source, nutritional value, and impact of Missouri's food resources and distribute this information to local communities to use as a tool for making sustainable food choices.

Public Engagement:

- Organize community groups to address local environmental issues by convening meetings and press conferences, printing materials, and providing information from government agencies and independent experts.
- Testifying at public hearings that relate to relevant environmental issues.
- Lobby elected officials on environmental issues and organize lobby days for Missouri residents to engage lawmakers directly.
- Collaborate with other groups to advocate for protection of public lands, water quality standards, safe and clean energy, clean air, and sustainable food and farm policies.
- Gather signatures on petitions for submission to local, state and federal elected officials.

Legal Action:

- Review air, water, and hazardous waste permits issued by the Department of Natural Resources and other government agencies and initiate enforcement actions when possible.
- Review proposed regulations and draft comments.
- Participate in government work groups through Department of Natural Resources, the Army Corps of Engineers, and other government agencies to advocate for policies that promote water quality and sustainable uses of our waterways.
- File lawsuits to enforce state and federal environmental laws.

(c) The full name and job title(s) of each of the complainant's employees in Missouri:

Heather Brouillet Navarro – Executive Director
Kathleen Logan Smith – Director of Environmental Policy
Laura Illy – Director of Finance
Bradley Walker – Rivers & Sustainability Director
Lorin Crandall – Clean Water Director
Edward Smith – Safe Energy Director

Response Provided By:



Date: 06/12/2013

Heather Brouillet Navarro

Complainant Missouri Coalition for the Environment

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Provide the following information for complainant Wind on the Wires:

- (a) The full name and address of each officer and each member of the complainant's board of directors;
- (b) A detailed description of the complainant's operations and activities in Missouri; and
- (c) The full name and job title(s) of each of the complainant's employees in Missouri.

Response:

- (a) The full name and address of each officer and each member of the complainant's board of directors:

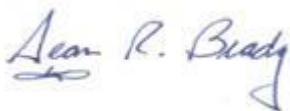
Joe De Vito – Chairman of the Board
Rebecca Stanfield – Vice Chair
Sarah Johnson Phillips – Secretary
Brian Lammers – Treasurer
Seth Dunn – Director
Steve Frenkel – Director
Bob Gough – Director
Susan Innis – Director
Vanessa Kellogg – Director
Jason Minalga – Director
Michael Noble – Director
Melissa Seymour – Director
Susan Williams Sloan – Director
Beth Soholt – Director
Michael Vickerman – Director
Julie Voeck – Director

Address for above-listed officers and directors: 1619 Dayton Avenue, Suite 203
Saint Paul, MN 55104

(b) A detailed description of the complainant's operations and activities in Missouri:

Wind on the Wires is a 501(c)(3) organization whose mission is to accelerate the development and installation of wind energy in the Midwest region, including Missouri, through advocacy for the use of best practices in setting statewide policies and through engagement with legislators, state agencies, and other stakeholders. Wind on the Wires operating revenue comes from membership fees, grants and fundraising activities. Members of Wind on the Wires participated in the Commission's rulemaking docket for implementing the RES – EX-2010-0169 – and filed comments regarding utilities' 2011 compliance with the RES. In addition, Wind on the Wires participated in the workshop docket – EW-2011-0031 -- initiated by the Commission on August 4, 2010, to explore legislative and regulatory means to improve and clarify the RES.

(c) The full name and job title(s) of each of the complainant's employees in Missouri: None



Response Provided By: _____

Date: 06/12/2013

Sean Brady,

Complainant Wind on the Wires

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Provide the following information for complainant The Alternate Energy Company, LLC:

- (a) The state in which complainant is organized as a limited liability company;
- (b) The full name and address of each member of the limited liability company;
- (c) A detailed description of complainant's business operations and activities in Missouri; and
- (d) The full name and job title(s) of each of complainant's employees in Missouri.

Response:

(a) The state in which complainant is organized as a limited liability company: Missouri

(b) The full name and address of each member of the limited liability company:

David E. Fairbank

Address for the above-listed member: 4131 E. White Oak Dr., Springfield, MO 65809

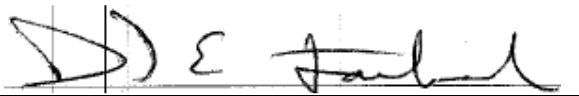
(c) A detailed description of the complainant's operations and activities in Missouri:

The Alternative Energy Company, LLC is involved in the design and installation of solar photovoltaic systems, solar thermal systems, and wind energy systems in Missouri.

(d) The full name and job title(s) of each of complainant's employees in Missouri:

David E. Fairbank – President

Response Provided By:



Date: 06/12/2013

David E. Fairbank

Complainant The Alternative Energy Company, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Provide the following information for complainant Missouri Solar Applications, LLC:

- (a) The state in which complainant is organized as a limited liability company;
- (b) The full name of each member of the limited liability company;
- (c) A detailed description of complainant's business operations and activities in Missouri; and
- (d) The full name and job title(s) of each of complainant's employees in Missouri.

Response:

(a) The State in which complainant is organized as a limited liability company: Missouri

(b) The full name of each member of the limited liability company:

Vaughn Prost
Steven Ellebracht
Joseph Rybak
Jaime Simon

(c) A detailed description of complainant's business operations and activities in Missouri:

Missouri Solar Applications, LLC markets, sells, designs and installs solar photovoltaic systems, solar hot water systems, and energy efficiency lighting systems in Missouri.

(d) The full name and job title(s) of each of complainant's employees in Missouri:

Vaughn Prost – Chief Executive Officer, Certified NABCEP Installer
Jeremy Kent – Master Electrician
Thomas Jones – Master Plumber
Danielle Mancuso – Sales Manager
Meredith Brown – Sales Manager
Jeffrey Owens – Project Manager, Certified NABCEP Installer
Scott Williams – Project Manager
Gavin Jones – Solar PV Installer
Dwayne Jordan – Sales Person
David D-Eagle – Sales Person
Sean Woodsmall – Sales Person

Response Provided By: Vaughn X. Prost

Date: 06/12/2013

Vaughn Prost

Complainant Missouri Solar Applications, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Provide the following information for complainant StraightUp Solar:

- (a) Complainant's form of enterprise (i.e., sole proprietorship, partnership, limited liability company, or corporation);
- (b) The state in which complainant is organized, chartered, or certificated;
- (c) If complainant is a sole proprietorship, the full name and address of its proprietor; if complainant is a partnership, the full name and address of each partner; if complainant is a limited liability company, the full name and address of each member; or if complainant is a corporation, the full name and address of each officer and each member of complainant's board of directors;
- (d) A detailed description of complainant's business operations and activities in Missouri; and
- (e) The full name and job title(s) of each of complainant's employees in Missouri.

Response:

- (a) Complainant's form of enterprise (i.e. sole proprietorship, partnership, limited liability company, or corporation): Limited Liability Corporation (LLC)
- (b) The state in which complainant is organized, chartered, or certificated: Missouri
- (c) ... if complainant is a limited liability company, the full name and address of each member:

Dane Glueck

Eric Swillinger

Joe Mentel


Address for above-listed members: 9100 Midland Blvd, St. Louis, MO 63114

- (d) A detailed description of complainant's business operations and activities in Missouri:

StraightUp Solar markets, sells, designs and installs solar photovoltaic systems and solar hot water systems in Missouri.

- (e) The full name and job title(s) of each of complainant's employees in Missouri:

Dane Glueck – President
Eric Swillinger – VP of Business Operations
Joe Mentel –VP of Field Operations
Lee Deering – Chief of Electrical Integration
Erin Noble – Director of Community Relations
John Hulse – Director of Business Development
Mike Hornitschek – Director of Strategic Development
Roland Baer – Business Development
Jeff Schmidt – Director of Design & Technology
David Scally Jr. – Solar Maintenance Technician, Warehouse Manager
Graham Clinton – Project Coordinator
Joshua Hill – System Monitoring & Design Engineer
James Fisher – Commercial Roof Crew Lead
Travis Troy – Residential Roof Crew Lead
Chris Martsof – Solar Installer
Andrew Ragsdale – Solar Electrician
Chris Nicollerat – Commercial Electrical Foreman
Matt Reuscher – Solar Installer
Michael Seymour – Solar Electrician
Zach Slightom – Solar Installer
Drew Forney – Residential Electrical Foreman

Response Provided By:  _____

Date: 06/12/2013

Dane Glueck
Complainant StraightUp Solar

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail how Earth Island Institute d/b/a Renew Missouri is aggrieved by the alleged failure of Empire to follow the requirements of Missouri's Renewable Energy Standard.

Response:

Earth Island Institute d/b/a Renew Missouri ("Renew Missouri") is aggrieved by Empire's failure to comply with Missouri's Renewable Energy Standard ("RES") because such failure to comply has resulted in less renewable energy being installed in Missouri, damaging and/or threatening Renew Missouri's organizational mission (see DR-014).

Response Provided By:  Date: 06/12/2013

PJ Wilson

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail how Missouri Coalition for the Environment is aggrieved by the alleged failure of Empire to follow the requirements of Missouri's Renewable Energy Standard.

Response:

Missouri Coalition for the Environment ("MCE") is aggrieved by Empire's failure to comply with Missouri's Renewable Energy Standard ("RES") because such failure to comply has harmed the interests of MCE's members, particularly those members in Empire's territory who have an interest in the fulfillment of MCE's mission to support clean energy and replace demand currently met by nuclear and fossil fuel generation.

Response Provided By:  _____ Date: 06/12/2013

Heather Brouillet Navarro

Complainant Missouri Coalition for the Environment

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378


Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail how Missouri Solar Energy Industries Association is aggrieved by the alleged failure of Empire to follow the requirements of Missouri's Renewable Energy Standard.

Response:

The Missouri Solar Energy Industries Association ("MOSEIA") is aggrieved by Empire's failure to comply with Missouri's Renewable Energy Standard ("RES") because such failure to comply – in particular Empire's failure to comply with the solar provisions of the RES – has harmed the business interests of its member organizations and has weakened the solar industry in Missouri, damaging and/or threatening the organizational mission of MOSEIA (see DR-016).

Response Provided By:  _____

Date: 06/12/2013

Dane Glueck

Complainant Missouri Solar Energy Industries Association

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

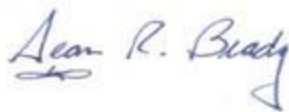
Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail how Wind on the Wires is aggrieved by the alleged failure of Empire to follow the requirements of Missouri's Renewable Energy Standard.

Response:

Wind on the Wires is aggrieved by the failure of Missouri utilities to comply with Missouri's Renewable Energy Standard ("RES") because such failure to comply has damaged its members' ability to pursue business opportunities in Missouri and has damaged and/or threatened the organization's mission (see response to DR-017).



Response Provided By: _____

Date: 06/12/2013

Sean Brady

Complainant Wind on the Wires

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

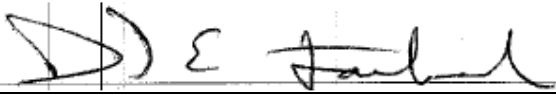
Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail how The Alternate Energy Company, LLC, is aggrieved by the alleged failure of Empire to follow the requirements of Missouri's Renewable Energy Standard.

Response:

The Alternative Energy Company, LLC is aggrieved by Empire's failure to comply with Missouri's Renewable Energy Standard ("RES") because such failure to comply – specifically, Empire's refusal to pay solar rebates – has directly translated to a loss of business opportunities for The Alternative Energy Company (see response to DR-021). The Alternative Energy Company, LLC was founded in late 2008 with the expectation that Empire would be required to pay solar rebates to its customers. As a result of Empire's failure to comply with the RES, The Alternative Energy Company, LLC is barely viable as a business.

Response Provided By: 

Date: 06/12/2013

David E. Fairbank

Complainant The Alternative Energy Company, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail how StraightUp Solar is aggrieved by the alleged failure of Empire to follow the requirements of Missouri's Renewable Energy Standard.

Response:

StraightUp Solar is aggrieved by Empire's failure to comply with Missouri's Renewable Energy Standard ("RES") because such failure to comply has resulted in a general loss of business opportunities for StraightUp Solar. StraightUp Solar has the capability to do solar installation projects several hours from its home office in St. Louis, and has done several such projects. If not for Empire's failure to comply with the solar provisions of the RES, StraightUp Solar would consider expanding into Empire's territory either with a new satellite office or by conducting installations from the current St. Louis office.

Response Provided By: 

Date: 06/12/2013

Dane Glueck

Complainant StraightUp Solar

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail how Missouri Solar Applications, LLC, is aggrieved by the alleged failure of Empire to follow the requirements of Missouri’s Renewable Energy Standard.

Response:

Missouri Solar Applications, LLC is aggrieved by Empire’s failure to comply with Missouri’s Renewable Energy Standard (“RES”) because such failure to comply (specifically, Empire’s refusal to pay solar rebates) has resulted in a loss of business opportunities for Missouri Solar Applications, LLC (see Response to DR #021).



Response Provided By: _____

Date: 06/12/2013

Vaughn Prost

Complainant Missouri Solar Applications, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the “organizational mission” of Earth Island Institute d/b/a Renew Missouri. If any documents exist describing that organizational mission, provide a copy of each such document. Describe in detail how Empire’s alleged conduct with respect to the Missouri Renewable Energy Standard damages or threatens that organizational mission.

Response:

The “organizational mission” of Earth Island Institute d/b/a Renew Missouri (“Renew Missouri”) is to transform Missouri into a leading state in renewable energy and energy efficiency by 2016. Renew Missouri’s mission is stated on its website at: <http://www.renewmo.org/index.html>

Empire’s failure to comply with Missouri’s Renewable Energy Standard (“RES”) has damaged and/or threatened Renew Missouri’s above-stated mission because such failure to comply has resulted in less renewable energy being constructed or installed in and around Missouri, which has damaged and/or threatened Renew Missouri’s mission of transforming Missouri into a leading state in renewable energy.

Response Provided By:  Date: 06/12/2013
PJ Wilson

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the “organizational mission” of Missouri Coalition for the Environment. If any documents exist describing that organizational mission, provide a copy of each such document. Describe in detail how Empire’s alleged conduct with respect to the Missouri Renewable Energy Standard damages or threatens that organizational mission.

Response:

The Missouri Coalition for the Environment (“MCE”) is Missouri’s independent, citizens environmental organization for clean water, clean air, clean energy, and a healthy environment. MCE works to protect and restore the environment through education, public engagement, and legal action. MCE’s organizational mission is explained on its website at: <http://www.moenviron.org/index.php/about-us/who-are-we>

Empire’s failure to comply with Missouri’s Renewable Energy Standard (“RES”) has damaged and/or threatened MCE’s above-stated organizational mission because such failure to comply has resulted in threatening the natural environment of Missouri. MCE worked to pass Proposition C and establish a renewable energy standard because a reliance on fossil fuels for energy production has been shown to contribute to global warming and adversely affect our air and water quality. Waste products from coal-fired power plants pollute the water supply and degrade the land. MCE has spent the last 44 years protecting Missouri’s air and water quality and land resources, which are threatened by the production of energy from nonrenewable sources. Switching to renewable energy sources will reduce the amount of carbon dioxide, a greenhouse gas and a major contributor to climate change, from being released into the air. The effects of climate change have the potential to alter Missouri’s natural environment by: devastating fish and wildlife populations, increasing severe weather events and the damage they cause, altering the biodiversity of our forests and other ecosystems, and damaging our air and water quality. Empire’s failure to comply with the RES has contributed to such threats to Missouri’s natural environment by slowing the development of renewable industries in Missouri and by prolonging the state’s reliance on nuclear and fossil fuel generation sources.

Response Provided By:



Date: 06/12/2013

Heather Brouillet Navarro

Complainant Missouri Coalition for the Environment

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the “organizational mission” of Missouri Solar Energy Industries Association. If any documents exist describing that organizational mission, provide a copy of each such document. Describe in detail how Empire’s alleged conduct with respect to the Missouri Renewable Energy Standard damages or threatens that organizational mission.

Response:

The “organizational mission” of the Missouri Solar Energy Industries Association (“MOSEIA”) is to strengthen and expand the solar industry and establish a sustainable energy future for all Missourians. In addition, MOSEIA’s goal is to accelerate the solar industry in Missouri and raise industry standards. The preceding mission and goal are stated on MOSEIA’s website at: <http://www.moseia.com/>

Empire’s failure to comply with Missouri’s Renewable Energy Standard (“RES”) has damaged and/or threatened MOSEIA’s above-stated organizational mission because such failure to comply has resulted in a significantly slower expansion of the solar industry in Missouri. Specifically, Empire has refused to comply with various requirements of the RES relating to solar energy, which has caused direct harm to the solar industry in Missouri.

Response Provided By:  _____

Date: 06/12/2013

Dane Glueck

Complainant Missouri Solar Energy Industries Association

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

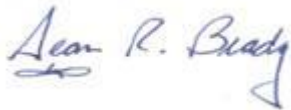
Date of Request: May 23, 2013

Describe in detail the “organizational mission” of Wind on the Wires. If any documents exist describing that organizational mission, provide a copy of each such document. Describe in detail how Empire’s alleged conduct with respect to the Missouri Renewable Energy Standard damages or threatens that organizational mission.

Response:

The “organizational mission” of Wind on the Wires is “to overcome the barriers to bringing wind energy to market. This includes better use of existing transmission, getting more transmission constructed, as well as a variety of public policy, siting and other issues.” The preceding is stated on Wind on the Wires’ website at: <http://windonthewires.org/>

The failure of Missouri utilities in general to comply with Missouri’s Renewable Energy Standard (“RES”) has damaged and/or threatened the above-stated organizational mission of Wind on the Wires because such failure to comply has been a major barrier to bringing wind energy to market in and around Missouri.



Response Provided By: _____

Date: 06/12/2013

Sean Brady

Complainant Wind on the Wires

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

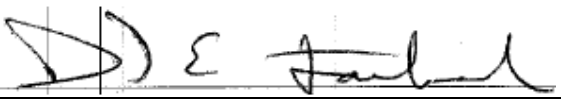
Date of Request: May 23, 2013

Describe in detail the “organizational mission” of The Alternate Energy Company, LLC. If any documents exist describing that organizational mission, provide a copy of each such document. Describe in detail how Empire’s alleged conduct with respect to the Missouri Renewable Energy Standard damages or threatens that organizational mission.

Response:

The “organizational mission” of the Alternative Energy Company, LLC is: “Recognizing that effective energy conservation is a key element in achieving sustainability, The Alternative Energy Company seeks to help businesses and homeowners identify and implement cost effective solutions to increase their energy efficiency and their use of renewable energy.” The preceding is stated on The Alternative Energy Company, LLC’s website at: <http://www.aenergyco.com/about.php>

Empire’s failure to comply with Missouri’s Renewable Energy Standard (“RES”) has damaged and/or threatened the above-stated organizational mission of the Alternative Energy Company, LLC because it has become much more difficult to make an economic case to prospective customers in Empire’s territory given Empire’s refusal to pay solar rebates or buy solar RECs from customers. Empire’s failure to comply with the RES continues to result in a loss of potential business opportunities to The Alternative Energy Company, LLC.

Response Provided By:  Date: 06/12/2013

David E. Fairbank

Complainant The Alternative Energy Company, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the “organizational mission” of StraightUp Solar. If any documents exist describing that organizational mission, provide a copy of each such document. Describe in detail how Empire’s alleged conduct with respect to the Missouri Renewable Energy Standard damages or threatens that organizational mission.

Response:

The “organizational mission” of StraightUp Solar is: “Empowering communities to create a sustainable future through lasting partnerships that provide the St. Louis region's premier solar integrations and customer service at a competitive price.” The preceding is stated on StraightUp Solar’s Facebook page at: <https://www.facebook.com/straightupsolar/info>

Empire’s failure to comply with the Missouri Renewable Energy Standard (“RES”) has damaged and/or threatened StraightUp Solar’s above-stated organizational mission because such failure to comply has harmed the Missouri solar industry and damaged StraightUp Solar’s ability to expand into Empire’s territory to further pursue its mission of empowering communities to create sustainable futures through utilization of solar technologies.

Response Provided By:  _____

Date: 06/12/2013

Dane Glueck

Complainant StraightUp Solar

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

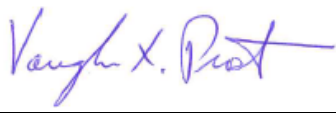
Date of Request: May 23, 2013

Describe in detail the “organizational mission” of Missouri Solar Applications, LLC. If any documents exist describing that organizational mission, provide a copy of each such document. Describe in detail how Empire’s alleged conduct with respect to the Missouri Renewable Energy Standard damages or threatens that organizational mission.

Response:

The “organizational mission” of Missouri Solar Applications, LLC is to market, sell, design and install solar electric systems in Missouri. No documents exist describing such mission.

Empire’s failure to comply with the Missouri Renewable Energy Standard (“RES”) has damaged and/or threatened the above-stated organizational mission because such failure to comply has made it more difficult for Missouri Solar Applications, LLC to make an economic case to prospective customers in Empire’s territory. Empire’s failure to comply with the solar carve-out and solar rebate provisions of the RES continues to result in a loss of potential business opportunities for Missouri Solar Applications, LLC.

Response Provided By: 

Date: 06/12/2013

Vaughn Prost

Complainant Missouri Solar Applications, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Identify, describe, and quantify each business opportunity lost by each of the following complainants due to Empire’s conduct, as alleged in the complaint filed in Case No. EC-2013-0378, with respect to the Missouri Renewable Energy Standard: The Alternate Energy Company, LLC; StraightUp Solar; and Missouri Solar Applications, LLC. Provide copies of any documents or other evidence in the possession of any or all of those complainants that supports each of the lost business opportunities identified in your response to the preceding question.

Response:

Empire’s failure to comply with Missouri’s Renewable Energy Standard (“RES”), specifically the solar carve-out and solar rebate provisions of the RES, has caused the loss of an indeterminate amount of solar business opportunities that, because of Empire’s failure to comply with the RES, were never created and thus are not capable of being fully identified, described, or quantified. However, specific lost business opportunities for one of the above-mentioned complainants are summarized below:

- Missouri Solar Applications, LLC experienced specific lost business opportunities in the form of proposed solar system installation projects for several hotels owned by the Meyer Family located in Branson, MO (all served by Empire). The hotel owners did not proceed with the solar system projects because Empire’s refusal to pay solar rebates caused the investment to have too long of a payback period. (see attached documents for details of lost business opportunities.)



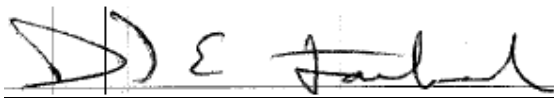
Response Provided By: _____

Date: 06/12/2013

Vaughn Prost

Complainant Missouri Solar Applications, LLC

The Alternative Energy Company, LLC experienced no specific lost business opportunities capable of being identified, described, or quantified as a result of Empire’s failure to comply with the RES.




Response Provided By: _____

Date: 06/12/2013

David E. Fairbank

Complainant The Alternative Energy Company, LLC

StraightUp Solar experienced no specific lost business opportunities capable of being identified, described, or quantified as a result of Empire's failure to comply with the RES.

Response Provided By:  _____

Date: 06/12/2013

Dane Glueck

Complainant StraightUp Solar

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

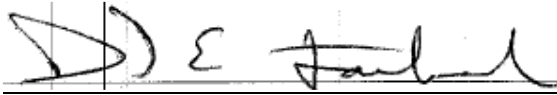
Date of Request: May 23, 2013

Do any of the following complainants have a business office or have any employees located within Empire’s certificated Missouri service area: The Alternate Energy Company, LLC; StaightUp Solar; and Missouri Solar Applications, LLC? For each complainant for whom the answer to the preceding question is anything other than an unqualified “no,” provide the address of each such business office and the name and job title(s) of each such employee.

Response:

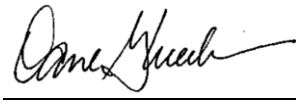
The Alternative Energy Company: Although The Alternative Energy Company, LLC does not have a business office located directly within Empire’s certificated Missouri service area, the company is located within approximately ten (10) miles of Empire’s service territory.

Name and job title of each such employee: David E. Fairbank, President
Address of each such business office: 4131 E. White Oak Dr., Springfield, MO 65809

Response Provided By:  Date: 06/12/2013

David E. Fairbank
Complainant The Alternative Energy Company, LLC

StraightUp Solar: none

Response Provided By:  Date: 06/12/2013

Dane Glueck
Complainant StraightUp Solar

Missouri Solar Applications, LLC: none

Response Provided By:  Date: 06/12/2013

Vaughn Prost
Complainant Missouri Solar Applications, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Paragraph 2 of the complaint alleges that “Renew Missouri was instrumental in the passage of Proposition C, the Missouri Renewable Energy Standard.” Describe in detail the role Earth Island Institute d/b/a Renew Missouri played in the effort to pass Proposition C. Identify each person associated with Earth Island Institute d/b/a Renew Missouri who played a role in drafting Proposition C, and for each person identified describe the role he or she played.

Response:

Earth Island Institute d/b/a Renew Missouri played no role in the effort to pass Proposition C, as Earth Island Institute d/b/a Renew Missouri did not exist until 2011. In the above-quoted statement from the complaint, “Renew Missouri” refers to a predecessor organization.

PJ Wilson, current Director of Earth Island Institute d/b/a Renew Missouri, was involved in both the drafting and passage of Proposition C in 2008. (see response to DR-024.)

Response Provided By: 

Date: 06/12/2013

PJ Wilson

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Did any employee or representative of Earth Island Institute d/b/a Renew Missouri (or any of its predecessor companies or entities) play a role in drafting or distributing brochures, circulars, press releases, fact sheets, or any other documents or materials promoting the adoption of Proposition C? If the answer to the preceding question is anything other than an unqualified "no," provide a copy of each such document or promotional material. Identify each employee or representative of Earth Island Institute d/b/a Renew Missouri (or any of its predecessor companies or entities) who was involved in drafting or distributing documents or materials promoting the adoption of Proposition C.

Response:


(See objections sent to counsel for Empire on Monday, June 3, 2013.)

Patrick J ("PJ") Wilson is the Director of Earth Island Institute d/b/a/ Renew Missouri.

In 2008, Mr. Wilson was the Executive Director of the stand-alone Missouri nonprofit "Renew Missouri." Renew Missouri was one of many groups supporting the adoption of Proposition C – and in Mr. Wilson's role there, he played a part in drafting and distributing brochures, circulars, press releases, fact sheets and other documents and materials promoting the adoption of Proposition C. Copies of such documents were not retained permanently on file, and for the vast majority of such materials, a copy does not exist today.

Attached to these responses are the following exemplary documents of such materials:

- "Ballot Language Explained"; a mark-up I created highlighting some of the important aspects of the actual statutory language of the ballot initiative
- "Do's and Don'ts" – Handout for signature gatherers
- "Renew MO KCPL endorsement release" – Joint press release
- "Sample Petition" – mark-up of sample position, explaining which information to put where
- "TRAINING AGENDA" – agenda for training signature gatherers
- "Volunteer_Info" – volunteer sign-up sheet for signature gatherers

Response Provided By: 

Date: 06/12/2013

PJ Wilson

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the role, if any, any employee or representative of Missouri Coalition for the Environment played in the effort to draft or pass Proposition C.

Response:

Missouri Coalition for the Environment and its staff conducted the following activities in the effort to pass Proposition C:

- Solicited tax-deductible donations to support the campaign to pass Proposition C.
- Hired a consultant and commissioned an economic impact analysis of Proposition C.
- Trained volunteers to collect signatures to qualify Proposition C for the November 2008 ballot.
- Sent emails to members and the public regarding Proposition C.
- Convened editorial board meetings regarding the economic impact study.
- Held a workshop at the Green Homes Festival regarding Proposition C.

Response Provided By:



Date: 06/12/2013

Heather Brouillet Navarro

Complainant Missouri Coalition for the Environment

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the role, if any, any employee or representative of Missouri Solar Energy Industries Association played in the effort to draft or pass Proposition C.

Response:

The Missouri Solar Energy Industries Association played no role in the effort to draft or pass Proposition C.

Response Provided By:



Date: 06/12/2013

Heidi Schoen

Complainant Missouri Solar Energy Industries Association

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

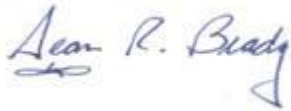
Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the role, if any, any employee or representative of Wind on the Wires played in the effort to draft or pass Proposition C.

Response:

Wind on the Wires played no role in the effort to draft or pass Proposition C.



Response Provided By: _____

Date: 06/12/2013

Sean Brady

Complainant Wind on the Wires

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

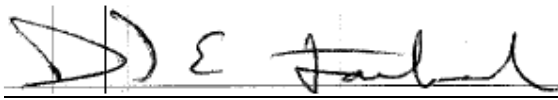
Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the role, if any, any employee or representative of The Alternate Energy Company, LLC, played in the effort to draft or pass Proposition C.

Response:

The Alternative Energy Company, LLC played no role in the effort to draft or pass Proposition C.

Response Provided By: 

Date: 06/12/2013

David E. Fairbank

Complainant The Alternative Energy Company, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378


Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the role, if any, any employee or representative of StraightUp Solar played in the effort to draft or pass Proposition C.

Response:

StraightUp Solar played no role in the effort to draft or pass Proposition C.

Response Provided By:  _____

Date: 06/12/2013

Dane Glueck

Complainant StraightUp Solar

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Describe in detail the role, if any, any employee or representative of Missouri Solar Applications, LLC, played in the effort to draft or pass Proposition C.

Response:

Vaughn Prost and Jeffrey Owens helped to canvass, put up signs, and educate the public in support of the passage of Proposition C.

In addition, Jeffrey Owens helped to gather signatures to qualify Proposition C for the November 2008 statewide ballot.

Response Provided By:  _____

Date: 06/12/2013

Vaughn Prost

Complainant Missouri Solar Applications, LLC

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

In the rulemaking that preceded the adoption of 10 CSR 140-8.010, did any of the following complainants file comments regarding the definitions in subsection (2)(A) of that rule or any of that subsection's subparts: Earth Island Institute d/b/a Renew Missouri (or any of its predecessor companies or entities); Missouri Coalition for the Environment; Missouri Solar Energy Industries Association; Wind on the Wires; The Alternate Energy Company, LLC; StraightUp Solar; and Missouri Solar Applications, LLC? If the answer to the preceding question is anything other than an unqualified "no," provide copies of all such comments filed by each complainant.

Response:

(See objections sent to counsel for Empire on Monday, June 3, 2013.)

Response Provided By: 

Date: 06/12/2013

Andrew Linhares

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

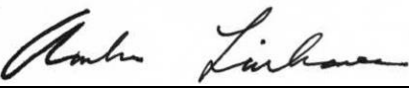
Requested By: Russ Mitten

Date of Request: May 23, 2013

In the rulemaking that preceded the adoption of 4 CSR 240-20.100, did any of the following complainants file comments regarding the definitions in subsection (1)(K) of that rule or any of its subparts; Earth Island Institute d/b/a Renew Missouri (or any of its predecessor companies or entities); Missouri Coalition for the Environment; Missouri Solar Energy Industries Association; Wind on the Wires; The Alternate Energy Company, LLC; StraightUp Solar; and Missouri Solar Applications, LLC? If the answer to the preceding question is anything other than an unqualified "no," provide copies of all such comments filed by each complainant.

Response:

(See objections sent to counsel for Empire on Monday, June 3, 2013. Counsel for Empire has agreed to seek the above-reference documents on EFIS.)

Response Provided By:  Date: 06/12/2013

Andrew Linhares

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Paragraph 27 of the complaint alleges that “Empire itself represents to the Southwest Power Pool, (“SPP”) that the Ozark Beach facility is larger than 10 MW.” What is the basis for that allegation? Provide a copy of each document in the possession of any complainant that relates to that allegation.

Response:

The basis for the above-quoted allegation is a 2007 Power Point presentation authored by Empire entitled “2009 – 2013 Construction Plans” and found on SPP’s website at:

http://www.spp.org/publications/2h_Empire%20District%20Electric%20Company_EDE%202009%20%20year%20plan.pdf

The above-quoted allegation is found on slide 8 of the presentation. (See the attached copy of the above-referenced presentation.)

Response Provided By:  _____

Date: 06/12/2013

Andrew Linhares

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Identify each fact that complainants rely on as support for the allegations in paragraph 33 of the complaint, and provide a copy of each document in the possession of any complainant that relates to those allegations.

Response:

The facts that complainants rely on as support for the allegations in paragraph 33 are the following:

- The text of the RES statute, specifically Section 393.1030.2, RSMo.
- The contents of Empire's 2011 RES Compliance Report, specifically the section relating to the vintage of RECs retired for compliance with the RES (pg. 5).

As these documents are within the public record and subject to administrative notice in this case, they have not been attached.

Response Provided By:



Date: 06/12/2013

Andrew Linhares

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013


Identify each fact that complainants rely on as support for the allegations in paragraph 35 of the complaint, and provide a copy of each document in the possession of any complainant that relates to those allegations.

Response:

The facts that complainants rely on as support for the allegations in paragraph 35 are the following:

- The text of the Commission's RES rule, specifically 4 CSR 240-20.100(7)(A)(G).
- The contents of Empire's 2011 RES Compliance Report.

As these documents are within the public record and subject to administrative notice in this case, they have not been attached.

Response Provided By:  Date: 06/12/2013

Andrew Linhares

Complainant Earth Island Institute d/b/a Renew Missouri

Data Request
From The Empire District Electric Company
Case No. EC-2013-0378

Requested By: Russ Mitten

Date of Request: May 23, 2013

Identify each fact that complainants rely on as support for the allegations in paragraph 36 of the complaint, and provide a copy of each document in the possession of any complainant that relates to those allegations.

Response:

The facts that complainants rely on as support for the allegations in paragraph 36 are the following:

- The text of the RES statute, specifically Section 393.1030.2, RSMo.
- The contents of Empire's 2011 RES Compliance Report, specifically the section relating to the vintage of RECs retired for compliance with the RES (pg. 5).

As these documents are within the public record and subject to administrative notice in this case, they have not been attached.

Response Provided By:



Date: 06/12/2013

Andrew Linhares

Complainant Earth Island Institute d/b/a Renew Missouri