BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric Company's Application for Approval of Demand-Side Programs and for Authority to Establish a Demand-Side Management Investment Mechanism.	)))))	Case No. EO-2014-0030

APPLICATION OF THE EMPIRE DISTRICT ELECTRIC COMPANY

COMES NOW The Empire District Electric Company ("Empire"), by and through counsel, and files this Application for approval of demand-side programs and for authority to establish a Demand Side Management Investment Mechanism ("DSIM"). In this regard, Empire respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. With this Application, Empire seeks approval, pursuant to RSMo. §393.1075, known as the Missouri Energy Efficiency Investment Act ("MEEIA"), and Commission rules 4 CSR 240-3.163, 4 CSR 240-3.164, 4 CSR 240-20.093, and 4 CSR 240-20.094, of a new Missouri demand-side management ("DSM") portfolio, including four new DSM programs, and for the authority to establish a DSIM.[1] Empire's proposal is set forth in greater detail in the Direct Testimony of W. Scott Keith being filed herein and the report attached thereto as Schedule A ("Empire's MEEIA report"). This testimony contains the supporting information required by the MEEIA rules.

2. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri, 64802. Empire is qualified to conduct business and is conducting business in the states of Missouri, Kansas, Arkansas, and Oklahoma. Empire is

[1] The Commission's rules provide that the Commission shall approve, approve with modifications acceptable to the utility, or reject a MEEIA application within 120 days of the filing of the application. Empire would not object to extending this deadline and is willing to work with the Commission and the parties to this proceeding on a mutually agreeable procedural schedule.

engaged, generally, in the business of generating, purchasing, transmitting, distributing, and selling electric energy in portions of said states. Empire also provides water service and, through a subsidiary, natural gas distribution service in Missouri. Empire's Missouri operations are subject to the jurisdiction of the Commission as provided by law.

3. A certified copy of Empire's Restated Articles of Incorporation, as amended, as filed in Case No. EF-94-39, is incorporated herein by reference in accordance with Commission rule 4 CSR 240-2.060(1)(G). A certificate from the Missouri Secretary of State that Empire, a foreign corporation, is authorized to do business in Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated by reference in accordance with Commission rule 4 CSR 240-2.060(1)(G). This information is current and correct. Empire has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates other than cases currently docketed at the Commission. Empire's annual report and assessment fees are not overdue.

4. Pursuant to Commission Rule 4 CSR 240-4.020, Empire filed its Notice of Intended Case Filing herein on August 8, 2013. As stated in that Notice, in Case No. EO-2012-0206, Empire agreed to file the subject Application by October 29, 2013.

5. RSMo. §393.1075 provides, in part, that the Commission "shall permit electric corporations to implement commission-approved demand-side programs proposed pursuant to this section with a goal of achieving all cost-effective demand-side savings." The statute also provides that the Commission "may develop cost recovery mechanisms to further encourage investments in demand-side programs . . ." In Case No. EX-2010-0368, the Commission promulgated four rules designed to implement the MEEIA provisions – 4 CSR 240-3.163, 4 CSR 240-3.164, 4 CSR 240-20.093, and 4 CSR 240-20.094.

6. Empire's proposed DSM portfolio includes some of Empire's existing DSM programs and four additional DSM programs. The four additional programs are: (1) a residential high efficiency lighting and appliance program, (2) a residential appliance recycling program, (3) a school energy efficiency kit program, and (4) a small business lighting program. Pursuant to §393.1075 and the Commission's rules, a detailed description of each proposed demand-side program is included at pages 13-20 of Empire's MEEIA report (Schedule A to the Direct Testimony of W. Scott Keith).

7. Under Empire's MEEIA proposal, as outlined on page 29 of Empire's MEEIA report (Schedule A to the Direct Testimony of W. Scott Keith), overall DSM program expenditures are expected to increase from the current levels of $1.5 million per year to approximately $5.0 million per year in the first three years of the new DSM program cycle.

8. Empire is also requesting Commission approval of a DSIM to recover program costs and incentives. The DSIM is designed to recover actual program costs, shared benefits earned, and utility incentives earned during the initial DSM program cycle (three years). Pursuant to §393.1075 and the Commission's rules, all details of the DSIM are included at pages 20-23 of Empire's MEEIA report (Schedule A to the Direct Testimony of W. Scott Keith). Proposed DSIM tariff sheets are included as Appendix C to Empire's MEEIA report.

9. Empire's DSIM proposal is a critical component of the Company's MEEIA filing. If the Commission does not authorize a DSIM that allows recovery of costs, shared benefits, and utility incentives in a timely manner, Empire will be forced to reexamine the proposed level of DSM investment.

10. Pursuant to 4 CSR 240-20.093(13) and 4 CSR 240-20.094(9), Empire requests that the Commission grant variances from certain provisions of the MEEIA rules. These waiver requests, and the good cause therefore, are set forth at pages 23-24 of Empire's MEEIA report

(Schedule A to the Direct Testimony of W. Scott Keith) and incorporated herein by reference.

WHEREFORE, The Empire District Electric Company respectfully requests approval of its proposed demand-side programs and the authority to establish a DSIM. Empire requests such further relief as is just and proper under the circumstances.

BRYDON, SWEARENGEN & ENGLAND P.C.

By: ___/s/ Diana C. Carter______________________

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ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail on this 29th day of October, 2013, to all counsel of record.

_______/s/ Diana C. Carter_________

VERIFICATION

STATE OF MISSOURI)
) SS
COUNTY OF JASPER)

I, W. Scott Keith, state that I am employed by The Empire District Electric Company ("Empire") as Director of Planning and Regulatory, that I have read the foregoing Application and all documents referenced therein, that the statements contained therein are true and correct to the best of my information, knowledge and belief, and that I am authorized to make this statement on behalf of Empire.

W. Scott Keith

Subscribed and sworn to before me this 29 day of October, 2013.

ANGELA M. CLOVEN
Notary Public - Notary Seal
State of Missouri
Commissioned for Jasper County
My Commission Expires: November 01, 2015
Commission Number: 11262659

Angela M. Cloven
Notary Public

My Commission Expires: 11/01/2015