

3. Staff anticipates that any disputes related to the level of Empire's prudent investment in the various wind projects would be made in the general rate case or other appropriate proceeding or mechanism where Empire seeks to include its costs of the projects in rate base, and not in this docket.

WHEREFORE, Staff respectfully requests that the Commission open a case to facilitate and retain discovery related to Staff's audit of Empire's wind projects at Neosho Ridge, Kings Point, and North Fork Ridge.

Respectfully submitted,

/s/ Sarah L. K. Lange

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Staff Response To Commission Order Directing Filing has been transmitted electronically to all counsel of record this 30th day of October, 2019.

/s/ Sarah L. K. Lange