

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

In the Matter of The Empire District Electric            )  
Company for Authority to File Tariffs Increasing        )  
Rates for Electric Service Provided to Customers       )  
in the Company's Missouri Service Area.                )            Case No. ER-2014-0351

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE TO  
MOTION TO FILE SUPPLEMENTAL TESTIMONY**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Motion to file Supplemental Testimony states as follows:

1. On November 19, 2014, The Empire District Electric Company (Empire) filed a Motion for Leave to File Supplemental Direct Testimony requesting leave of the Missouri Public Service Commission (Commission) to file the Supplemental Direct Testimony of Mr. Todd W. Tarter and the Supplemental Direct Testimony of Dr. James H. Vander Weide.
2. In its Motion, Empire states: “Empire and the Office of the Public Counsel have discussed Empire’s direct testimony on issues related to Empire’s requested continuation of its FAC, and Empire has determined that the attached Supplemental Direct Testimony should be filed in order to address concerns raised by the Office of the Public Counsel.”
3. Public Counsel wishes to note the willingness of Empire to discuss Public Counsel’s concerns that Empire’s direct testimony regarding proposed continuation of its Fuel Adjustment Clause (FAC) did not meet the minimum filing requirements under 4 CSR 240-3.161. Public Counsel appreciates Empire’s voluntary filing of Supplemental Testimony of Mr. Tarter and Dr.

Vander Weide in order to address many of Public Counsel's concerns. As a result, Public Counsel has no objection to Empire's Motion.

4. However, Public Counsel does not agree that, even with the supplemental testimony, all of the minimum filing requirements have been met (for example, the requirement that complete explanations of included costs and revenues be provided). Public Counsel intends to address all remaining concerns it has as to whether the minimum filing requirements have been met through separate filings with the Commission.

**WHEREFORE**, Public Counsel respectfully submits its response.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Christina L. Baker**

By: \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the parties of record this 1<sup>st</sup> day of December 2014:

**/s/ Christina L. Baker**

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