

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of the Empire)
District Electric Company for Approval of Its)
Customer Savings Plan) File No. EO-2018-0092

MOTION FOR LEAVE TO FILE POSITION STATEMENT

Comes now Sierra Club, pursuant to 4 CSR § 240-2.110(4), and in light of the recently filed Non-Unanimous Stipulation and Agreement asks leave to file a statement of position in advance of the hearing set for May 9–11.

1. Position statements were due on March 30. Sierra Club did not file a statement at that time, but the statements that were filed are effectively rendered moot by the Non-Unanimous Stipulation and Agreement (S&A) filed by the Applicant and four other parties on April 24.

2. On April 26, the Office of the Public Counsel filed its objection to the non-unanimous S&A, stating its position on the issues raised by the S&A. By operation of 4 CSR 240-2.115(2)(D), the S&A became the position statement of the signatory parties.

3. Sierra Club supported the original plan of Empire District Electric and did not join the S&A but does not oppose it. Sierra Club intends to participate in the hearing to protect its own interests in the case.

4. Due to the change in circumstances caused by the Non-Unanimous Stipulation and Agreement, Sierra Club asks permission to file a Position Statement that is responsive to the S&A.

WHEREFORE Sierra Club requests leave to file its Position Statement, which it is filing together with this motion.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct PDF version of the foregoing was filed on EFIS and sent by email on this 2nd day of May, 2018, to all counsel of record:

/s/ Henry B. Robertson
Henry B. Robertson