

**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) Case No. EO-2018-0092
Customer Savings Plan)

In the Matter of the Propriety of the Rate Schedules)
for Electric Service of The Empire District Electric) Case No. ER-2018-0228
Company)

**THE OFFICE OF THE PUBLIC COUNSEL’S OBJECTION TO THE NON-
UNANIMOUS STIPULATION AND AGREEMENT FILED APRIL 24, 2018**

COMES NOW the Office of the Public Counsel and, within the seven days allotted by rule 4 CSR 240-2.115(2)(B), hereby objects to the Non-Unanimous Stipulation and Agreement of The Empire District Electric Company, Midwest Energy Consumers Group, Staff of the Missouri Public Service Commission, Renew Missouri Advocates, and the Missouri Department of Economic Development – Division of Energy filed on April 24, 2018. Among others, the Office of the Public Counsel opposes this settlement agreement on the following grounds:

- The Empire District Electric Company already has more than sufficient generating resources to serve its customers (Approx. 1,712 MW nominal, approx. 1,431 SPP accredited, and approx. peak load of 1,211 MW);
- The near-term rate impact of the settlement is expected to increase Empire’s customer rates from what they are currently by about 12%; the increase would be about 17% absent the reduction in the federal corporate income tax rate, *i.e.*, the rate impact of the change in the federal corporate income tax rate from 35% to 21% is about a 5% decrease in rates;¹ and

¹ Based on information in the affidavit of Greg Meyer filed April 24, 2018, in Case No. EO-2018-0092.

- The effect of the settlement is for Empire’s customers to guaranty Empire and its tax equity partners’ investments in up to 600 MW of additional wind farms built on the speculation that revenues from the Southwest Power Pool Integrated Marketplace for sales from the wind farms over twenty years will exceed Empire and its tax equity partners’ investments, *i.e.*, that Empire’s customers guaranty Empire’s wind farm activities as an independent power producer.

Respectfully,

/s/ Nathan Williams

Nathan Williams
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 26th day of April 2018.

/s/ Nathan Williams