

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before the Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the Application of The Empire)
District Electric Company for Approval of its) Docket No. 19-EPDE-216-ACA
Annual Energy Cost Adjustment.)

ORDER RESCINDING SUSPENSION ORDER

This matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On December 4, 2018, The Empire District Electric Company (“Empire”) filed an Application seeking Commission approval for its annual Energy Cost Adjustment (ACA) filing.¹
2. On December 20, 2018, this Commission issued a Suspension Order.
3. It now appears that a Suspension Order is unnecessary as annual ACA filings are not requests for a rate change, and as such, do not by themselves trigger the rate change procedure of K.S.A. 66-117. The Commission therefore determines that the portion of its December 20, 2018 Order in this docket that suspended Empire’s Application should be rescinded.

THEREFORE, THE COMMISSION ORDERS:

- A. The Commission rescinds the December 20, 2018 Order that suspended Empire’s Application in Docket No. 19-EPDE-216-ACA.
- B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).²

¹ *Empire ACA Application*, (“Empire Application”), (Dec. 4, 2018).

² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 01/03/2019



Lynn M. Retz
Secretary to the Commission

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CERTIFICATE OF SERVICE

19-EPDE-216-ACA

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 01/03/2019.

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