

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric )  
Company for Authority to Implement Rate )  
Adjustments Related to the Company's ) **File No. ER-2020-0311**  
Fuel and Purchase Power Adjustment ) **Tariff No. JE-2020-0171**  
(FAC) Required in 20 CSR 4240-20.090 )

## ORDER DIRECTING RESPONSES

Issue Date: May 12, 2020

Effective Date: May 12, 2020

On April 1, 2020, The Empire District Electric Company, a Liberty Utilities company (Liberty-Empire), filed a revised tariff sheet proposing a revised fuel adjustment rate and requested the Commission approve the tariff effective June 1, 2020.<sup>1</sup> On May 1, 2020, Staff recommended the Commission issue an interim rate adjustment order to approve Liberty-Empire's substitute tariff sheet to be effective on June 1, 2020, subject to true-up and prudence review. On May 11, 2020, the Office of the Public Counsel filed a pleading opposing Staff's recommendation. OPC contends the proposed tariff sheet impermissibly includes coal inventory adjustments related to retirement of the Asbury generating facility.

By rule, the initial 60-day period for approval or rejection of Liberty-Empire's proposed tariff sheet to adjust its fuel adjustment rate expires on May 31, 2020.<sup>2</sup> The Commission will require Staff and Liberty-Empire to respond to OPC's filing.

### THE COMMISSION ORDERS THAT:

1. No later than 9 a.m. May 18, 2020, the Commission's Staff and Liberty-Empire shall file a response addressing OPC's opposition to approval of the revised tariff.

---

<sup>1</sup> Liberty-Empire on April 6, 2020, filed a corrected version of the tariff sheet, assigned Tariff No. JE-2020-0171.

<sup>2</sup> 20 CSR 4240-20.090(8)(H).

2. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Jana C. Jacobs, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,  
on this 12th day of May, 2020.