

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

Greg Stiens,)	
)	
Complainant)	
)	<u>File No. GC-2021-0395</u>
v.)	
)	
The Empire District Gas Company)	
d/b/a Liberty,)	
)	
Respondent)	

Greg Stiens,)	
)	
Complainant)	
)	<u>File No. EC-2021-0374</u>
v.)	
)	
The Empire District Electric Company)	
d/b/a Liberty,)	
)	
Respondent)	

**NOTICE OF COMPLAINT AND ORDER SETTING TIME FOR ANSWER
AND DIRECTING STAFF INVESTIGATION AND REPORT**

Issue Date: May 12, 2021

Effective Date: May 12, 2021

On April 26, 2021, Greg Stiens filed a complaint with the Commission against The Empire District Gas Company d/b/a Liberty. Due to a clerical error, the complaint file was opened in File No. EC-2021-0374 as a complaint against The Empire District **Electric** Company d/b/a Liberty. This order corrects the error by establishing the case under File No. GC-2021-0395 and providing for notice to The Empire District Gas Company, as required by Section 386.390.3, RSMo (Cum. Supp. 2020).

A copy of the complaint accompanies this notice. Complaint to the Commission is authorized by Section 386.390 and constitutes a contested case under Chapter 536 of the Revised Statutes of Missouri. Commission rules govern the procedure of a contested case and the methods of “discovery” used by the parties to request and share information and documents.¹

Because the complaint concerns less than \$3,000, this matter will proceed under the small formal complaint procedure, as provided by Commission Rule 20 CSR 4240-2.070(15). If any party believes this matter should not proceed as a small formal complaint, that party may file a motion requesting a change in case status.

Liberty will have 30 days after the date of this notice to satisfy or answer the complaint, as provided by Commission rule.²

The Commission will direct the Staff of the Commission to investigate the complaint and file a report detailing its findings, as provided by 20 CSR 4240-2.070(15)(D). In its April 27, 2021 order in File No. EC-2021-0374, the Commission directed Staff to file a report no later than June 10, 2021. To avoid undue delay in this case, the Commission will direct Staff to file its report, or a status report, no later than June 18, 2021.

Case documents are available online via the Commission’s electronic filing and information system (EFIS). EFIS may be accessed from the Commission’s website, <https://psc.mo.gov>.

¹ Commission rules governing practice and procedure before the Commission are published in the Code of State Regulations at 20 CSR 4240, Chapter 2.

² 20 CSR 4240-2.070(15)(A).

Because File No. EC-2021-0374 was opened in error and the complaint is now pending under File No. GC-2021-0395, the Commission will close File No. EC-2021-0374.

Because the Commission's notice order issued on April 27, 2021, previously directed that information about complaint proceedings be provided to Mr. Stiens, this order does not require that those materials be duplicated. Likewise, the Commission provided information about mediation to the parties with its previous order.

Finally, the Commission observes the entry of appearance filed on April 28, 2021, by counsel for Liberty in File No. EC-2021-0374 did not certify service on Mr. Stiens. Service on Mr. Stiens should comply with Commission rules, as provided below.

THE COMMISSION ORDERS THAT:

1. File No. EC-2021-0374 shall be closed.
2. The Commission's Data Center shall send, by certified mail, a copy of this

notice and order and a copy of the complaint to:

The Empire District Gas Company d/b/a Liberty
Attn: Legal Representative
428 E. Capitol Ave., Suite 303
Jefferson City, MO 65101

3. Liberty shall satisfy the complaint or file an answer to the complaint no later than June 11, 2021. Liberty shall serve a copy of any answer on Mr. Stiens, Complainant.

4. Service on Mr. Stiens shall comply with the provisions of Commission Rule 20 CSR 4240-2.080(16), which governs service on parties not represented by legal counsel.

5. No later than June 18, 2021, Staff shall investigate and file a report detailing its findings and recommendations or shall file a status report stating when it expects to file its report.

6. The Commission's Data Center shall mail to Mr. Stiens, by U.S. mail to Complainant's address of record, a copy of this notice and order.

7. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink 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, 2021.