

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

In the Matter of The Empire District Electric Company’s)
Request for Authority to File Tariffs Increasing Rates for Electric) Case No. ER-2019-0374
Service Provided to Customers in its Missouri Service Area)

**EMPIRE’S RESPONSE TO
PUBLIC COUNSEL’S SUGGESTED LOCAL PUBLIC HEARING NOTICE**

COMES NOW The Empire District Electric Company, a Liberty Utilities company (“Liberty-Empire” or the “Company”), and for its Response to Public Counsel’s Suggested Local Public Hearing Notice, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. On December 6, 2019, Public Counsel submitted its Suggested Local Public Hearing Notice, asking that the Commission “order Empire to adopt and provide individually to each of its customers notice of the local public hearings the Commission orders in this case in the form of the draft notice attached hereto.”

2. Liberty-Empire, of course, agrees that notice of the local public hearings ordered by the Commission in this case should be provided individually to each of its customers and to the public as a whole. As noted in Public Counsel’s filing, however, Liberty-Empire does not agree that Public Counsel’s proposal should be used for this purpose.

3. Liberty-Empire believes it would be improper for the Commission to order the Company to communicate with its customers using the notice form suggested by Public Counsel. As an alternative to Public Counsel’s proposal, Liberty-Empire requests that it be authorized to notify its customers of the local public hearings using the form attached hereto. The areas of disagreement between Public Counsel and Liberty-Empire are noted on the attachment and are addressed below.

4. First, Public Counsel requests that the Company be directed to refer to itself as just “Empire” throughout the notice, while the Company believes “Liberty-Empire” should be used. Since 2017, service has been provided under a co-branding designation, using both Empire and Liberty in the name. If the notice just uses “Empire,” customers may be confused and may be dissuaded from coming to the public hearings under the incorrect impression that the notice pertains to the “old” company.

5. Second, Liberty-Empire believes the requested increase for an average residential customer should be stated as a monthly amount, while Public Counsel suggests that the requested increase be stated as an annual amount. Residential customers are accustomed to notices presenting the estimated increase on a monthly basis (as opposed to a yearly basis), and Public Counsel’s proposal in this case may cause confusion and unnecessary shock and concern.

6. Third, Liberty-Empire believes that its customers may be confused by the large table that Public Counsel suggests should be included showing all rate classes and the proposed rate increase by class in both dollars and percentages. The exact dollar amounts and percentages are not known at this time and could change significantly during the case. Presenting these amounts at this time may result in unnecessary confusion and concern.

7. Liberty-Empire also believes it would be improper to include a statement in the public hearing notice regarding the admissibility (or lack thereof) of customer comments, as is being requested by Public Counsel. The remainder of the differences between Public Counsel’s proposal and Liberty-Empire’s proposal are regarding word usage. For example, where Public Counsel uses “Fuel Adjust Charge,” Liberty-Empire uses “FAC.”

WHEREFORE, Liberty-Empire requests that it be authorized to notify its customers of the local public hearings using the form attached hereto. Liberty-Empire requests such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 16th day of December, 2019, with notification of the same being sent to all counsel of record.

/s/ Diana C. Carter

**NOTICE OF LOCAL PUBLIC HEARINGS
ON ~~LIBERTY-EMPIRE'S~~ ELECTRIC RATES**

On August 14, 2019, The Empire District Electric Company, a Liberty Utilities Company (“Liberty-Empire”), filed a general rate request with the Missouri Public Service Commission (“Commission”) designed to increase Liberty-Empire’s annual gross revenues from its Missouri electric retail customers by \$26.5 million, or approximately 4.93 percent. As part of this proceeding, Liberty-Empire is proposing to increase its fixed residential customer charge from \$13.00 per month to \$19.00 per month.

For a residential customer using 1,000 kilowatt-hours of electricity a month, the proposed increase would be approximately \$7.85 each month, or 5.80 percent. Liberty-Empire estimates that the proposed rate increase will have the following other bill impacts:

Customer Class	Average Annual Impact	
	Bill Change \$	Bill Change %
CB-Commercial	\$125.82	5.2%
Small Heating	\$164.22	5.0%

Liberty-Empire is asking the Commission to authorize the continuation of its Fuel Adjustment Clause (“FAC”). Of the \$26.5 million proposed increase, \$74,946 is attributable to Liberty-Empire updating the energy costs used to determine its customers’ billed FAC charges. Taking into consideration all changes Liberty-Empire proposes to the FAC, it estimates that this will increase the usage charges on a typical residential customer’s monthly bill by \$0.01 (based on 1,000 kWh of monthly usage). If the Commission approves Liberty-Empire’s request to continue its FAC, Liberty-Empire will continue to adjust (credit or bill) its electric customers’ bills twice each year via the FAC, on June 1 and December 1. The FAC volumetric revisions represent the difference between Liberty-Empire’s actual energy cost (i.e., the varying costs of fuel used to generate electricity at its generating units plus electric energy it purchases on behalf of its customers) and its base energy cost included in base rates during the respective semi-annual periods.

The Commission has scheduled question and answer sessions followed by local public hearings, where anyone may appear, testify, and/or provide documents to the Commission for it to consider in this general electric rate case, at the following locations, dates, and times:

insert

Comment [DC1]: The utility is “co-branded.” If the notice just uses Empire, as proposed by OPC, customers may be confused.

Comment [DC2]: Customers are used to notices presenting the estimated increase on a monthly basis (as opposed to a yearly basis as proposed by OPC for this case).

Comment [DC3]: Customers may be confused if a table is included for all of the classes, as proposed by OPC for this case. The Company believes it is most appropriate to provide the estimated monthly increase for only the residential class. If the Commission believes that additional classes should be addressed in this notice, Liberty-Empire suggests that the number of classes be limited.

Anyone wishing to comment on, or inquire about, Liberty-Empire's requests may also do so by contacting the Staff of the Commission and/or the Office of the Public Counsel.

Commission Staff

P.O. Box 360

Jefferson City, Missouri 65102

Telephone: 1-800-392-4211

E-mail: pscinfo@psc.mo.gov

Public comments may be submitted at https://psc.mo.gov/General/Submit_Comments
(please reference case number ER-2019-0374)

Office of the Public Counsel

P.O. Box 2230

Jefferson City, Missouri 65102

Telephone: 573-751-4857 or toll-free at 866-922-2959

E-mail: opcservice@opc.mo.gov

The Commission has scheduled an evidentiary hearing during April 14-17 and 20-22, 2020, at 200 Madison Street, Jefferson City, Missouri, for parties in this case to present their evidence to the Commission for its decision. This hearing is open to the public, except portions the Commission may close to protect the dissemination of nonpublic information.

The local public hearings and evidentiary hearing will be held in buildings that meet accessibility standards by the Americans with Disabilities Act. If someone needs additional accommodations to participate in or attend any of these hearings, please call the Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.