

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

In the Matter of the Request of the Empire)
District Gas Company d/b/a Liberty for) **File No. GR-2021-0320**
Authority to File Tariffs Increasing Rates)
For Gas Service Provided to Customers)
In its Missouri Service Area.)

**LIST OF ISSUES, LIST AND ORDER OF WITNESSES,
ORDER OF OPENING STATEMENTS, AND
ORDER OF CROSS-EXAMINATION,
AND MOTION TO RELIEVE THE PARTIES OF THE
REQUIREMENT TO FILE A JOINT STATEMENT OF FACTS**

COMES NOW, The Empire District Gas Company d/b/a Liberty or Liberty Utilities (“EDG”), on behalf of itself, and the Staff of the Missouri Public Service Commission (“Staff”), the Office of the Public Counsel (“OPC”), the Midwest Energy Consumer Group (“MECG”), Symmetry Energy Solutions, LLC (“Symmetry”), and the Missouri School Boards’ Association (“MSBA”)(collectively “the Parties”), and hereby submits the following *List of Issues, List and Order of Witnesses, Order of Opening Statements and Order of Cross-Examination*, and further requests that the Parties be relieved of the requirement to file a Joint Statement of Facts on April 19, 2022. In support, the Parties state:

LIST OF ISSUES

1. Should the Commission approve the recommendations filed on behalf of the MSBA?
 - a. Should the Commission modify EDG’s Aggregation, Balancing, and Cash-out Charges in this case?

- b. Should the Commission establish a section within EDG’s tariff or standalone rate schedule applicable only to special statutory provisions for School Transportation Program? If so, when should a revised tariff be submitted to the Commission?
- c. Should the Commission adopt EDG’s proposal to change current tariff language regarding Empire’s passage of charges on to customers for actions or inactions of their suppliers, marketers or aggregators, or adopt MSBA’s proposal to retain current tariff language until the Commission later reviews outcomes of pending federal court cases and Commission complaints and establishes parameters applicable to all Missouri Gas Corporation tariffs?

ORDER OF OPENING STATEMENTS

EDG
MSBA
Staff
OPC
MECG
Symmetry

LIST AND ORDER OF WITNESSES

APRIL 25, 2022

8:30 a.m. Preliminary Matters and Opening Statements

9:30 a.m. Cross-Examination of Witnesses

| | |
|-----------------------|---|
| <i>EDG Witness</i> | Tatiana Earhart |
| <i>MSBA Witnesses</i> | Louie R. Ervin Sr. Louie R. Ervin II |
| <i>Staff Witness</i> | Keenan B. Patterson |

Order of Cross-Examination—MSBA witnesses

Symmetry
MECG
OPC
Staff
EDG

Order of Cross-Examination-EDG witness

Staff
OPC
MECG
Symmetry
MSBA

Order of Cross-Examination-Staff witness

OPC
MECG
EDG
Symmetry
MSBA

**MOTION TO RELIEVE THE PARTIES OF
THE REQUIREMENT TO FILE A JOINT
STATEMENT OF FACTS**

The parties also request that the Commission relieve them of the requirement to file a Joint Statement of Facts which is currently due on Tuesday, April 19. The parties do not believe that the Joint Statement of Facts is necessary in this case.

WHEREFORE, EDG, on behalf of itself, Staff, OPC, MECG, MSBA and Symmetry requests that the Commission accept this *List of Issues, List and Order of Witnesses, Order of Opening Statements and Order of Cross Examination*; and grant the motion to relieve the parties of

the requirement to file a Joint Statement of Facts, and such other and further relief as the Commission considers just in the circumstances.

Respectfully submitted,

/s/ Diana C. Carter
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**ATTORNEYS FOR THE EMPIRE DISTRICT
GAS COMPANY D/B/A LIBERTY OR LIBERTY
UTILITIES**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 15th day of April, 2022, to all counsel of record.

/s/ James M. Fischer

James M. Fischer