

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

In the Matter of the Petition of The Empire District)
Electric Company d/b/a Liberty to Obtain a)
Financing Order that Authorizes the Issuance of) Case No. _____
Securitized Utility Tariff Bonds for)
Qualified Extraordinary Costs)

NOTICE OF INTENDED CASE FILING

COMES NOW The Empire District Electric Company d/b/a Liberty, and, pursuant to RSMo. §393.1700 and Commission Rule 20 CSR 4240-4.017, submits this Notice of Intended Case Filing with regard to its intended petition to obtain a financing order that authorizes the issuance of securitized utility tariff bonds regarding the extraordinary costs incurred during the anomalous weather event of February 2021 (sometimes referred to as Winter Storm Uri). In this regard, Liberty respectfully states as follows to the Missouri Public Service Commission (the “Commission”):

1. The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”) is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri. Liberty is qualified to conduct business and is conducting business in Missouri, as well as in the states of Arkansas, Kansas, and Oklahoma. Liberty is engaged, generally, in the business of generating, purchasing, transmitting, distributing, and selling electricity in portions of the referenced four states. Liberty’s Missouri operations are subject to the jurisdiction of the Commission as provided by law.

2. On July 6, 2021, Missouri House Bill 734 was signed by the Missouri Governor, and RSMo. §§393.1700-393.1715 regarding securitization will take effect August 28, 2021. RSMo. §393.1700.2(3)(b) provides that an “electrical corporation shall provide notice of intent to file a petition for a financing order to the commission no less than sixty days in advance of such

filing.” Additionally, Commission Rule 4.017(1) provides, in part, that “(a)ny person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission and shall include a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice. The filing of such notice shall initiate a new noticed case and be assigned an appropriate case designation and number.”

3. Liberty intends to file a petition pursuant to RSMo. §393.1700.2(2) to obtain a financing order that authorizes the issuance of securitized utility tariff bonds regarding the extraordinary costs incurred during the anomalous weather event of February 2021. Issues the Commission will be asked to consider and decide in the upcoming case are those addressed by §§393.1700-393.1715 regarding securitization of extraordinary costs. Liberty is submitting its Notice of Intended Case Filing at this time, prior to the effective date of the new legislation, due to timing concerns associated with its general rate case, Commission Case No. ER-2021-0312.

4. With regard to Rule 4.017(1) and the requirement that a 60-day filing notice include “a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice,” Liberty verifies that there have been no ex parte communications regarding substantive issues likely to be in the intended case between Liberty and the office of the Commission within the 90 days prior to the filing of this Notice. Liberty notes, however, that filings regarding the possibility of securitizing the Winter Storm Uri costs have been made by Liberty in Commission Case Nos. ER-2021-0312 and EU-2021-0274.

WHEREFORE, Liberty submits to the Commission this Notice of Intended Case Filing and requests such relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 13th day of August, 2021, and sent by electronic transmission to the Staff of the Commission and the Office of the Public Counsel.

/s/ Diana C. Carter