

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

In the Matter of the Application of The Empire District )  
Electric Company, The Empire District Gas Company, )  
Liberty Utilities (Midstates Natural Gas) Corp., and ) **Case No. AO-2017-0360**  
Liberty Utilities (Missouri Water) LLC for Approval of )  
Their Cost Allocation Manual )

**MOTION FOR LEAVE TO LATE FILE STATUS REPORT**

**COME NOW** the Staff of the Missouri Public Service Commission, by and through the Staff Counsel’s Office, The Empire District Electric Company (“Empire Electric”), The Empire District Gas Company (“Empire Gas”), Liberty Utilities (Midstates Natural Gas) Corp. (“Liberty Midstates”), and Liberty Utilities (Missouri Water) LLC (“Liberty Utilities”) (collectively, “Applicants”), the Office of the Public Counsel (“OPC”), and Midwest Energy Consumers Group (“MECG”) (collectively, “Parties”), and hereby move the Commission for leave to file their *Status Report* pursuant to the Commission’s July 1, 2020, *Order Directing Filing of Status Report*, late. In support thereof, the Parties state as follows:

1. Due to the press of other business, and the occurrence of intervening holidays, the Parties were unable to prepare and timely file the Parties’ Status Report on December 31, 2020. The Parties apologize for any inconvenience the delayed filing may cause.

**Status Report**

2. The Parties note that no further progress in the Applicants’ CAM proceedings has occurred since the Commission’s July 1<sup>st</sup> *Order Directing Filing of Status Report*. That being said, while progress in AW-2018-0394<sup>1</sup> has been significantly hindered by the ongoing COVID-19 pandemic emergency, the Parties continue to agree that future progress in

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<sup>1</sup> In the Matter of the Establishment of a Working Case for the Review and Consideration of a Rewriting and Writing of Existing and New Affiliate Transaction Rules and HVAC Affiliate Transaction Rules.

above-captioned CAM proceedings is dependent upon the promulgation of new ATRs; which one can reasonably expect to contain differences from the current electric, gas, and heating rules that are in place, on which CAMs can then be based (and upon which any need for variances will need to be assessed). Therefore, the Parties recommend the Commission continue its stay of the above-captioned CAM proceedings. The Parties recognize that the ATRs continue to be in place and apply to Empire Electric's, Empire Gas', and Liberty Midstates' transactions.<sup>2</sup>

**WHEREFORE** Staff, the Applicants, MEEG, and Public Counsel pray the Commission grant leave to late-file their Status Report ordered by the Commission's July 1<sup>st</sup> *Order Directing Filing Status Report*.

Respectfully Submitted,

**/s/ Mark Johnson**

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**Attorney for the Joint Applicants**

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<sup>2</sup> Further, pursuant to the Commission's *Report and Order* in Empire Electric's most recent rate case, Case No. ER-2019-0374, in Empire Electric's next filed rate case, Staff is to conduct an audit of the various types of affiliate transactions Empire Electric engages in, and provide testimony to the Commission supporting its findings.

**/s/ Nathan Williams**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all counsel of record on this 4<sup>th</sup> day of January 2021.

**/s/ Mark Johnson**