

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

In the Matter of The Empire District Electric            )  
Company’s Fuel Costs Related to the Extraordinary) Case No. \_\_\_\_\_  
Weather Event of February 2021                            )

**NOTICE OF INTENDED CASE FILING**

COMES NOW The Empire District Electric Company, and for its Notice of Intended Case Filing being submitted herein pursuant to 20 CSR 4240-4.017, respectfully states as follows to the Missouri Public Service Commission (the “Commission”):

1. The Empire District Electric Company (“Liberty” or “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.

2. A certified copy of EDE’s restated Articles of Incorporation, as amended, was filed in Commission Case No. EF-94-39 and is incorporated herein by reference. A certificate from the Missouri Secretary of State that EDE, a foreign corporation, is authorized to do business in Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated herein by reference. This information is current and correct.

3. Liberty is a “public utility,” as defined by RSMo. §386.020 and, therefore, is subject to the general regulatory jurisdiction of the Commission as provided by law.

4. Liberty has no pending or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates and that have occurred within the three years immediately preceding this filing. Liberty’s Annual Reports and assessment fees are not overdue.

5. With regard to issues that the Commission will be asked to consider and decide in the case, Liberty intends to file an application requesting an Accounting Authority Order (“AAO”) and modification of its Fuel and Purchased Power Adjustment (“FAC”) tariff sheets. With its application, Liberty will seek an AAO to allow the Company to assist its customers by deferring certain costs that would otherwise be due in the near future under the Company’s current FAC tariff. An AAO and modification of the FAC tariff are necessary due to the unusually high fuel costs and resulting financing costs incurred by Liberty on behalf of its customers during the extraordinary weather event that occurred in February of 2021.

6. 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.

7. This Notice of Intended Case Filing is being submitted as soon as possible following the weather event, and Liberty plans to seek a partial waiver of Rule 4.017, to allow its intended application to be filed less than 60 days after the submission of this Notice of Intended Case Filing.

WHEREFORE, Liberty submits to the Commission this Notice of Intended Case Filing and seeks such relief as is 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 26<sup>th</sup> day of February, 2021, with notification of the same being sent to all counsel of record. This Notice was also sent by electronic transmission to the Staff of the Commission and the Office of the Public Counsel.

/s/ Diana C. Carter