

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

In the Matter of the Request of The Empire District            )  
Electric Company and The Empire District Gas                )  
Company for Waiver of a Dual Branding                        )        Case No. AO-2020-0184  
Requirement Regarding the Continued Use of the Empire    )  
District Name for Electric, Gas, and Water Operations        )

**RESPONSE TO COMMISSION ORDER**

COME NOW The Empire District Electric Company (“EDE”) and The Empire District Gas Company (“EDG”), both Liberty Utilities companies, and for their Response to Commission Order, respectfully state as follows to the Missouri Public Service Commission (“Commission”):

1. On December 23, 2019, EDE and EDG filed their Motion for Waivers, requesting an order of the Commission relieving EDE and EDG of the requirement to operate their businesses under the “Empire District” brand, or a co-branding designation including the name Liberty Utilities, until January 1, 2022.

2. The Staff Recommendation was filed on March 2, 2020. There were no intervention requests in this proceeding, and no other responses or recommendations have been filed with regard to EDE and EDG’s Motion for Waivers. Staff stated no objection to the Commission granting the request of EDE and EDG and recommended that the Commission condition the waiver by (1) ordering the companies “to keep Staff, interested stakeholders and the Commission apprised of any new cooperate name and/or logo once adopted, including making a presentation to Staff and the Commission regarding its new brand and customer communication plan if applicable,” and (2) requiring the companies “to internally track (i.e., maintain side accounting records) all costs incurred as a result of Empire’s branding change.”

3. EDE and EDG filed their Response to Staff Recommendation, stating that Staff’s proposed conditions are reasonable and that EDE and EDG have no objection to the Commission conditioning the requested waiver as proposed by Staff. With their Response to Staff

Recommendation, EDE and EDG confidentially provided the new name and logo to the Commission.

4. Thereafter, the Commission issued its *Order Directing The Empire District Electric and Gas Company to File Additional Information*, directing EDE and EDG “to provide a general explanation of its customer announcement and communication plan as well as estimated costs.”

5. There will be minimal costs associated with removing “Empire District” from the companies’ branding. Paper products such as envelopes and billing statements will be transitioned as stock is depleted. Digital logos, such as the website logo, can be changed at no cost. Other collateral materials, such as customer handbooks, will be updated as stock is re-ordered. There will be an approximately \$600 total company charge to record updated messages for the Empire contact center IVR. Per Staff’s proposed condition, the companies will internally track (i.e., maintain side accounting records) all costs incurred as a result of removing “Empire District” from the companies’ branding.

6. As set forth in the Response to Staff Recommendation, in order to finalize the content and timing of the rebranding public announcement and customer communication plans, a decision from the Commission is needed with regard to the operational name limitations of EDE and EDG. At this time, Liberty Utilities intends to begin its communications with customers regarding the name and logo changes beginning in May of 2020. This would involve a website pop-up, bill inserts, IVR (Interactive Voice Response) hold message, walk-in office posters or retractable signs, and use of social media.

7. Implementation phase one would then begin in July of 2020. This would involve new email addresses, bill update and payment interfaces, primary external office signage, fleet vehicles, and uniforms. Implementation phase two would begin in October of 2020. This would involve secondary office signage, stationary and templates, new customer welcome kits, and advertising.

Implementation phases three and four in April of 2021 would include additional web site changes, internal documentation templates, and the remaining uniforms and fleet vehicles.

8. EDE and EDG will continue to keep Staff, interested stakeholders, and the Commission apprised of new decisions and developments, including making a presentation to Staff and the Commission once a decision has been issued on the Motion for Waivers and the content and timing of the rebranding public announcement and customer communication plans are finalized.

WHEREFORE, EDE and EDG respectfully submit this Response to Commission Order and request an order of the Commission waiving the 60-day notice requirement of Rule 4.017(1) and granting a partial waiver of and relief from the Commission's *Order Approving Stipulations and Agreements and Authorizing Merger Transaction* discussed in the Motion for Waivers filed herein. EDE and EDG request such additional and further relief as is just and proper under the circumstances.

/s/ Diana C. Carter  
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### **CERTIFICATE OF SERVICE**

I hereby certify that the above document was filed in EFIS on this 13<sup>th</sup> day of March, 2020, with notification of the same sent to all counsel of record.

/s/ Diana C. Carter