BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric Company's)	
Request for Authority to File Tariffs Increasing Rates for Electric)	Case No. ER-2019-0374
Service Provided to Customers in its Missouri Service Area)	

RESPONSE TO COMMISSION ORDER

COMES NOW The Empire District Electric Company, a Liberty Utilities company ("Empire" or the "Company"), on behalf of all parties participating in this proceeding, and respectfully submits this Response to Commission Order with regard to the *Order Directing the Parties to File a List of Issues No Longer in Dispute* issued by the Missouri Public Service Commission ("Commission") on May 7, 2020 (the "*Order*").

- 1. With the *Order*, the Commission directed the parties to file a stipulation containing any issues no longer in dispute and the agreed upon solutions to those issues. The Commission explained that "undisputed issues are issues that are undisputed irrespective of Commission action on any other issues."
- 2. By agreement of the parties participating in this proceeding, the following issues contained within the filed joint list of issues are no longer disputed issues in this proceeding:
 - Issue 2 (Rate Design, Other Tariff, and Data Issues), subparts f-q and s-y. Each of these sub-issues has been resolved pursuant to the terms of the Global Stipulation and Agreement executed by the Stipulation Signatories and filed on April 15, 2020 (the "Stipulation"). Although OPC objects to Stipulation provision five ("no changes to the

¹ This Response to Commission Order is being filed on behalf of the Company, the Staff of the Commission ("Staff"), Midwest Energy Consumers Group ("MECG"), Empire District Electric Company SERP Retirees ("EDESR"), the Empire District Retired Members & Spouses Association LLC ("EDRA"), Renew Missouri, Natural Resources Defense Council ("NRDC"), the National Housing Trust ("NHT") (collectively, the "Stipulation Signatories"), and also the Sierra Club and the Office of the Public Counsel ("OPC").

customer charges in this proceeding"), OPC does not object to the residential customer

charge remaining unchanged.

Issue 5 (FAC), subparts b, second sentence of d-ii, d-iii, and e. Each of these sub-issues

has been resolved pursuant to the terms of the Stipulation.

Issue 15 (energy efficiency). OPC has withdrawn this issue. As between the Stipulation

Signatories, this issue has been resolved pursuant to paragraph 20 of the Stipulation, to

which OPC did not object.²

Issue 22b (reliable service). OPC has withdrawn this issue. As between the Stipulation

Signatories, this issue has been resolved pursuant to paragraph 10 of the Stipulation, to

which OPC did not object.

Issue 23 (estimated bills). This issue has been resolved pursuant to paragraph 9 of the

Stipulation, to which OPC did not object.

Issue 45(retirement). These issues have been resolved pursuant to paragraphs 27-29 of

the Stipulation, to which OPC did not object.

WHEREFORE, The Empire District Electric Company submits this Response to

Commission Order.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527

428 E. Capitol Ave., Suite 303

Jefferson City, Missouri 65101

Joplin Office Phone: (417) 626-5976

Cell Phone: (573) 289-1961

E-Mail: Diana.Carter@LibertyUtilities.com

² "The Office of the Public Counsel does not object to only the following terms of the Global Stipulation and Agreement: The changes to Empire's FAC set out in subparagraphs c., d., f., and g. of paragraph 6; paragraph 7; paragraph 9 (including all of subparagraphs a. to k.); paragraphs 10 to 23; and paragraphs 27 to 29 . . . "

2

CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 11^{th} day of May, 2020, with notification of the same being sent to all counsel of record.

/s/ Diana C. Carter