

**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 STAFF RECOMMENDATION

COME NOW The Empire District Electric Company (“EDE”) and The Empire District Gas Company (“EDG”), both Liberty Utilities companies, and for their Response to Staff Recommendation, 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 herein on March 2, 2020. There were no intervention requests in this proceeding, and no other responses or recommendations were filed with regard to EDE and EDG’s Motion for Waivers.

3. Staff has no objection to the Commission granting the request of EDE and EDG, and Staff recommends 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.” These are reasonable conditions, and EDE and EDG have no objection to the Commission conditioning the requested waiver as proposed by Staff.

4. The rebranding decision has now been made, and the new name and logo were revealed to employees on March 4, 2020, as shown on the attached confidential exhibit. The date of the public announcement has not yet been determined. In order to finalize the content and timing of the public announcement and customer communication plans, a decision from the Commission is needed with regard to the operational name limitations of EDE and EDG.

WHEREFORE, EDE and EDG 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 9th day of March, 2020, with notification of the same sent to all counsel of record.

/s/ Diana C. Carter