

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

In the Matter of the Tariff Filing of The)	
Empire District Electric Company d/b/a Liberty)	Case No. ET-2023-0250
Pursuant to Rules 20 CSR 4240-3.155 and)	Tariff JE-2023-0127 and JE-2023-0128
20 CSR 4240-20.065)	

RESPONSE TO STAFF RECOMMENDATION

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”), by and through its undersigned counsel, and for its Response to the Staff Recommendation, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. On January 13, 2023, Liberty submitted revised tariff sheets with updated cogeneration and net metering rates, with a requested effective date of February 12, 2023.

2. The Staff of the Commission (“Staff”) filed a motion to suspend the tariff sheets to allow sufficient time for Staff to conduct discovery necessary to make an informed recommendation to the Commission. Accordingly, on February 7, 2023, Liberty voluntarily extended the requested effective dates of the two tariff sheets by 90 days, to May 8, 2023. To allow Staff additional time to complete its review of the tariff submissions, Liberty voluntarily extended the requested effective dates of the two tariff sheets by an additional 14 days, to May 22, 2023.

3. On May 2, 2023, Staff filed its Staff Recommendation regarding Liberty’s cogeneration and net metering tariff sheet filings.

4. Staff recommends that the Commission approve the tariff sheets to go into effect for service on and after May 22, 2023, subject to the following conditions:

- a. submission of information regarding the exclusion of an avoided capacity credit in the standard rate for winter 2024, taking into account the factors affecting rates for purchases contained in 20 CSR 4240-20.060(4)(E)2;

- b. filing in this docket of a standard form contract for systems over 100 kW as required by 20 CSR 4240-3.155(2)(B); and
- c. filing in this docket of a public version of the data required by 20 CSR 4240-3.155(4).

5. Liberty has no objection to the imposition of these three conditions, and Liberty requests thirty days to provide the requested information and take the recommended actions.

WHEREFORE, The Empire District Electric Company d/b/a Liberty respectfully requests that the Commission consider this response to the Staff Recommendation and issue such orders as are just and reasonable 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 8th day of May, 2023, and sent by electronic transmission to all counsel of record.

/s/ Diana C. Carter