

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

In the Matter of the Compliance of The Empire District)
Electric Company with Certain Requirements Related to) File No. EO-2019-0046
SB 564 and Related Matters)

NOTICE OF ELECTION

COMES NOW The Empire District Electric Company, a Liberty Utilities company (“Liberty” or “Company”), and, pursuant to RSMo. §393.1400, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. On August 16, 2018, the Staff of the Commission filed a motion asking for a docket to be opened to address Liberty’s compliance with certain requirements of Missouri Senate Bill 564, including RSMo. §393.1400.
2. RSMo. §393.1400.5 provides that the statute “shall only apply to any electrical corporation that has filed a notice with the commission of the electrical corporation’s election to make the deferrals for which this section provides. No electrical corporation shall file a notice with the commission under this subsection if such corporation has made an application under subsection 3 of section 386.266, and such application has been approved. . . .” Although Liberty made an application under subsection 3 of section 386.266 in Case No. ER-2019-0374, that application was denied.
3. With its *Order Opening a Case and Directing Filings*, issued August 28, 2018, the Commission opened this docket and noted that RSMo. §393.1400.5 “allows Empire to file notice of its election to defer certain depreciation expenses and return associated with certain plant-in-service to a regulatory asset for future recovery.” The

Commission ordered that if Liberty were to choose to file notice of its election to use Plant-in-Service Accounting (“PISA”), it shall do so in this docket.

4. Pursuant to RSMo. §393.1400 and the Commission’s *Order Opening a Case and Directing Filings*, Liberty hereby provides notice of its election to make the deferrals set forth in §393.1400.

WHEREFORE, The Empire District Electric Company submits this notification to elect PISA as of August 12, 2020.

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 12th day of August, 2020, with notice of the same sent to all counsel of record.

/s/ Diana C. Carter