

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

In the Matter of a Determination of Special)
Contemporary Resource Planning Issues to be)
Addressed by The Empire District Electric) File No. EO-2020-0044
Company in its Next Triennial Compliance)
Filing or Next Annual Update Report)

**LIBERTY-EMPIRE’S OBJECTIONS AND COMMENTS REGARDING
SUGGESTED SPECIAL CONTEMPORARY RESOURCE PLANNING ISSUES**

COMES NOW The Empire District Electric Company, a Liberty Utilities company (“Liberty-Empire”), and, pursuant to Commission Rule 20 CSR 4240-22.080(4)(B), provides these objections and comments regarding the special contemporary resource planning issues suggested by the Staff of the Commission (“Staff”), the Office of the Public Counsel (“OPC”), Sierra Club, and the Natural Resources Defense Council (“NRDC”). In this regard, Liberty-Empire respectfully states as follows to the Missouri Public Service Commission (“Commission”):

Introduction

This file was opened to facilitate the process established by Rule 22.080(4) regarding evolving electric resource planning issues – or special contemporary issues (“SCIs”) – for Liberty-Empire to analyze and document in its next integrated resource planning (“IRP”) annual update report. It is important for the Commission to recognize the distinction between the IRP triennial compliance filing and the annual update report that will be submitted by Liberty-Empire.

Liberty-Empire most recently submitted a triennial compliance filing on June 28, 2019, in Commission Case No. EO-2019-0049. Pursuant to Rule 22.080(2), a triennial filing must demonstrate compliance with all provisions of Chapter 22. The annual update report, on the

other hand, is meant to provide an update to stakeholders and allow them input on IRP issues on an annual basis, between triennial filings. Pursuant to Rule 22.080(3)(B), the “depth and detail of the annual update report shall generally be commensurate with the magnitude and significance of the changing conditions since the last filed triennial compliance filing.” While related, the scope of the triennial filing and the scope of the annual updates are greatly different.

Pursuant to Rule 22.020(55), SCIs ordered by the Commission shall be “evolving new issues, which may not otherwise have been addressed by the utility or are continuations of unresolved issues from the preceding triennial compliance filing or annual update filing.” The list of SCIs ordered by the Commission for consideration and analysis by Liberty-Empire in its 2020 annual update report should be straightforward, specific to Empire and its planning process, and appropriately limited in number and scope, so that the issues may be adequately analyzed and the Company’s resources used wisely.

Sierra Club’s Suggested SCIs

Liberty-Empire objects to the issues suggested by the Sierra Club, as Sierra Club’s suggested SCIs are inconsistent with the Commission’s rules and are not specific to Liberty-Empire and its planning process.¹ In particular, Liberty-Empire objects to Sierra Club’s suggested SCIs on the basis that it would be an unnecessary and redundant burden for Liberty-Empire to perform the analyses as requested by Sierra Club in addition to the analyses recently performed within Liberty-Empire’s 2019 triennial compliance filing, submitted June 28, 2019. For example, Liberty-Empire analyzed and screened a number of these issues as special contemporary items within Section 8 of Volume 6, “Integrated Resource Plan and Risk

¹ It appears the Sierra Club may have simply cut and pasted from its SCI filing in the Ameren docket, as Sierra Club SCIs 9 and 10 for Liberty-Empire request that Liberty-Empire be directed to analyze Ameren’s coal-fired generating units and Ameren’s resource planning process.

Analysis.” Liberty-Empire also objects to Sierra Club issues 8 and 12 on the basis that these issues are being adequately addressed in the Commission’s ongoing self-scheduling investigatory docket (Case No. EW-2019-0370).

In its 2020 IRP annual update, Liberty-Empire will provide updates to stakeholders to the extent any material changes have occurred since the 2019 triennial IRP was filed. Each of the Sierra Club’s suggested issues, however, is beyond the proper scope of the annual update process and/or is duplicative of the integrated resource modeling recently performed for the 2019 triennial filing.

NRDC’s Suggested SCIs

Liberty-Empire objects to two of the five issues suggested by the NRDC. Liberty-Empire objects to NRDC issue 3 being included as a SCI on the basis of redundancy and burden. Securitization was analyzed as a special contemporary issue in Section 8 of Volume 6, “Integrated Resource Plan and Risk Analysis,” of Liberty-Empire’s 2019 triennial filing. As mentioned above, it would be an unnecessary and redundant burden to analyze the same special contemporary issues again, as the purpose of the IRP annual process is to update stakeholders regarding any change to issues documented within the most recent triennial filing, to the extent that any material changes have occurred.

Liberty-Empire also objects to NRDC issue 5. Like Sierra Club’s issue 12, this matter is part of the Commission’s ongoing self-scheduling investigatory docket and is being adequately addressed in that context.

Staff’s Suggested SCIs

Staff issues A, B, and C seem to be referencing triennial filing rule requirements, and, in fact, these issues were recently analyzed and documented within Section 8 of Volume 6,

“Integrated Resource Plan and Risk Analysis,” of Liberty-Empire’s 2019 triennial filing. As such, Liberty-Empire objects to Staff issues A, B, and C being included as SCIs on the basis of redundancy and burden. Within the 2020 IRP annual update, Liberty-Empire will provide updates to stakeholders to the extent any material changes have occurred since the last IRP triennial filing. The cost to analyze the issues as suggested, however, would be extensive and beyond the scope of an annual update.

OPC’s Suggested SCIs

Liberty-Empire objects to OPC issues 1 and 2 being included as SCIs for Liberty-Empire’s 2020 annual review. IRP Rules 4 CSR 4240.22-040 and 4 CSR 4240.22-045 require that Liberty-Empire, among other things, evaluate the cost-effectiveness of various supply-side, transmission and distribution investments within a triennial review. These costs rely on a robust set of assumptions developed by Liberty-Empire as part of its triennial IRP process. It would be an unnecessary and redundant burden for Liberty-Empire to perform the analyses as requested by OPC within the context of its upcoming annual update.

OPC issue 3 describes a very new and still emerging technology – the use of 3-D printing for the creation of spare parts and tooling. Given the early stages of this type of technology and the fact that Liberty-Empire’s next IRP filing is an annual update, it would be an unnecessary burden to direct Liberty-Empire to perform the analysis as requested by OPC.

Liberty-Empire objects to OPC issue 4 on the basis of burden and redundancy, as it is beyond the proper scope of the annual update process, and the cost to perform the analysis within an annual update would be extensive.

Lastly, Liberty-Empire objects to OPC issue 5. A SCI to review and provide “a narrative explanation of their findings in regards to the accuracy of their market price forecasts

in their collective IRP filings to date” is beyond the scope of the Commission’s IRP rules and would impose an unnecessary and costly burden on Liberty-Empire.

Conclusion

Liberty-Empire urges the Commission to apply a reasonableness standard in arriving at its list of SCIs for Liberty-Empire to consider and analyze for its 2020 annual update. As Liberty-Empire will not be submitting a triennial compliance filing in 2020, the ordered SCIs should be more limited in number and scope and should be appropriate for the scope of an annual update. Additionally, any ordered special contemporary issue should be reasonably related to Liberty-Empire’s particular resource planning, should not already be covered or contemplated by the IRP rules, and should not conflict with the directives of the IRP rules.

WHEREFORE, Liberty-Empire respectfully submits its objections and comments regarding the special contemporary resource planning issues suggested by Staff, OPC, Sierra Club, and the NRDC. Liberty-Empire requests such relief as is just and proper 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 1st day of October, 2019, with notice of the same sent to all counsel of record.

/s/ Diana C. Carter