

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

In the Matter of the Request of The Empire )  
District Electric Company d/b/a Liberty for )  
Authority to File Tariffs Increasing ) Case No. ER-2021-0312  
Rates for Electric Service Provided to )  
Customers in its Missouri Service Area )

**SECOND AMENDED LIST OF ISSUES AND REVISED HEARING SCHEDULE**

**COMES NOW** The Empire District Electric Company d/b/a Liberty (“Empire”), and, in light of the unopposed, partial settlement agreement filed by the parties on January 28, 2022, the second unopposed, partial settlement agreement filed by the parties on January 31, 2022, and the near-global settlement in principle between the parties, submits this second amended list of issues and revised hearing schedule on behalf of all parties.

With this filing, the parties respectfully request that the evidentiary hearing begin at 9:00 a.m. on Monday, February 7, 2022, with opening statements and a settlement presentation. The parties believe only one day of hearing will be needed.

**Parties**

Staff

The Empire District Electric Company (“Empire” or “Company”)  
The Office of the Public Counsel (“OPC”)  
Midwest Energy Consumers Group (“MECG”)  
Empire District Retired Members & Spouses Association, LLC (“EDRA”)  
Renew Missouri Advocates (“RenewMO”)  
The Empire District Electric Company SERP Retirees, LLC (“EDES”)  
The City of Ozark, Missouri (“Ozark”)

**Second Amended List of Issues and Revised Hearing Schedule**

**Monday, February 7, 2022 – 9:00 a.m.**

Admission of testimony of witnesses not scheduled to take the stand (agreement that do not need to tender for cross).

Opening Statements (general; min-openings with each issue) and Settlement Presentation

- Empire
- Staff
- OPC
- MECG
- EDRA
- EDESR
- RenewMO
- Ozark

**Class Cost of Service and Rate Design:** How should Empire’s revenue requirement be allocated amongst Empire’s customer rate classes (class revenues responsibilities)?

Company Witness: Tim Lyons  
Staff Witness: Sarah Lange  
OPC Witness: Geoff Marke  
MECG Witness: Kavita Maini

**Market Price Protection Mechanism (“MPPM”)**

1. What costs should be included?
2. What revenues should be included?
3. How should the PPA replacement value be calculated?
4. When should a jurisdictional allocation factor be applied?
5. Should the MPPM include interest on the cumulative costs/gains?
6. If the cumulative value at the end of ten years is a net cost, how should the net cost be shared between customers and Empire?

Company Witnesses: Aaron Doll, Todd Mooney, Charlotte Emery  
Staff Witnesses: Kim Bolin, J Luebbert  
OPC Witness: Lena Mantle

Respectfully submitted,

/s/ Diana C. Carter  
Diana C. Carter MBE #50527  
The Empire District Electric Company

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**ATTORNEYS FOR THE EMPIRE DISTRICT  
ELECTRIC COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that the above document was filed in EFIS on this 2<sup>nd</sup> day of February, 2022, and sent by electronic transmission to all counsel of record.

/s/ Diana C. Carter