CIVIL PROCEDURE FORM NO. 8-A(2)



IN THE ______ JUDICIAL CIRCUIT, _____

COUNTY, MISSOURI

WD84090

				FILED
Judge or Division:	Public Service Commission Case Number: ER-2019-0374			October 15, 20 Data Center
Plaintiff/Petitioner: The Office of the Public Counsel	Appellate Number:		☐ Filing as an Indigent	Missouri Public Service Commissi
	Date of Judgment/Decree/Order: (Аттасн а сору) Issued July 23, 2020, effective August 2, 2020, clarified August 5, 2020.		Court Reporter:	
vs. Defendant/Respondent: Public Service Commission of the State of Missouri	Date Post Trial Motion July 31, 2020	n Filed:	Sound Recording Equipment	
	Date Ruled Upon: October 14, 2020		The Record on Appeal will consist of: Legal File only or	
			Legal File and Transcript	(Date File Stamp)
Notice of	Appeal to Miss	souri Cou	Irt of Appeals - Civil	
I	District: 🛛 Weste	rn 🗌 Eas	stern	
Notice is given that <u>The Office of t</u>	he Public Counsel ap	peals from th	e judgment/decree/order entered in	this action on
July 23, 2020 (date).		-		
Appellant's Name (If multiple, list all or attach additional pages) The Office of the Public Counsel		Respondent's Name (If multiple, list all or attach additional pages) Public Service Commission of the State of Missouri		
Address 200 Madison Street, Suite 650 PO Box 2230 Jefferson City, MO 65102-2230 Appellant's Attorney/Bar Number (If multiple, list all or attach additional pages)		Address 200 Madison Street PO Box 360 Jefferson City, MO 65102-0360 Respondent's Attorney/Bar Number (If multiple, list all or attach additional pages)		
Nathan Williams, Mo. Bar No. 35512 Marc Poston, Mo. Bar No. 45722		Shelley Brueggemann, Mo. Bar No. 52173		
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E-mail Address nathan.williams@opc.mo.gov marc.poston@opc.mo.gov		E-mail Addre	•	
Telephone 573-526-4975 573-751-5318		Telephone 573-751-73	93	
Brief Description of Case (May be com The Empire District Electric Compa			s retail electric service rates in Misso	buri.
 The legality and reasonablene prospective general rates in Ju plant on December 12, 2019— 	ss of the Commission ly 2020 as if Empire d the date when Empire ered January 31, 2020 0, after six months' no	deciding Emp lid not last op e consumed th), true-up cuto otice.	page. Appellant is not bound by this list. bire's annual revenue requirement for erate its 200 MW Asbury coal-fired g ne last of its burnable onsite coal sup off date, and when Empire withdrew	or setting generating oply—which Asbury from

2) The legality of the Commission deciding Empire's annual revenue requirement for setting prospective general rates by including Empire's annual \$100 million in historical costs for Empire's transactions with its affiliates in the Commission's ordered revenue requirement without evidence Empire prudently incurred those costs.

Docket Fee Information				
The docket fee in the amount of \$70.00 is being tendered with this notice	e of appeal.			
No docket fee is being tendered because:				
☑ a docket fee is not required by law pursuant to <u>Supreme Court C</u> statute or other authority).	Operating Rule 21.01(c) (cite specific			
\Box a motion to prosecute the appeal in forma pauperis has been or	will be filed.			
a docket fee in the amount of \$70.00 cannot be tendered at this this appeal will be subject to dismissal pursuant to Rule 84.08(a)				
Signature of Attorney or Appellant /s/ Nathan Williams	Date October 14, 2010			
Certificate of Service on Persons other than Registered Users of	f the Missouri eFiling System			
I certify that on <u>August 21, 2020</u> (date), a copy of the foregoing wa delivery, electronic mail or U.S. mail postage prepaid to their last known addres <u>See attached service list.</u>				
/s/ Na	athan Williams			
	pellant or Attorney for Appellant			
Directions to Clerk				
Transmit a copy of the notice of appeal and all attached documents to the clerk of the Court of Appeals and to any person other than registered users of the eFiling system in a manner prescribed by Rule 43.01. Clerk shall then fill in the memorandum below. See Rule 81.08(i). Forward the docket fee to the Department of Revenue as required by statute.				
Memorandum of the Clerk				
I have this day served a copy of this notice by regular mail registered mail certified mail facsimile transmission to each of the following persons at the address stated below. If served by facsimile, include the time and date of transmission and the telephone number to which the document was transmitted.				
I have transmitted a copy of the notice of appeal to the clerk of the Court of App	peals, District.			
Docket fee in the amount of \$70.00 was received by this clerk on disbursed as required by statute.	(date) which will be			
No docket fee was received.				
Date	Clerk			

Electronically Filed - WESTERN DISTRICT CT OF APPEALS - October 14, 2020 - 05:05 PM

Additional Parties and Attorneys

List every party involved in the case not listed on page 1, indicate the position of the party in the circuit court (e.g. plaintiff, defendant, intervenor) and in the Court of Appeals (e.g. appellant or respondent) and the name of the attorney of record, if any, for each party. Attach additional pages to identify all parties and attorneys if necessary.

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The Empire District Electric Company, applicant / respondent	Diana C. Carter	
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See attached Service list.		
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	Telephone	
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Address	Address	
City, State, Zip Code	City, State, Zip Code	
	E-mail Address	
	Telephone	
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Missouri Public Service Commission

Service List for Case No. ER-2019-0374 Last Updated: 4/10/2020

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