

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

In the Matter of The Empire District )  
Electric Company’s Request for Authority )  
to File Tariffs Increasing Rates for Electric )  
Service Provided to Customers in its )  
Missouri Service Area )

**File No. ER-2019-0374**

**ORDER MODIFYING THE PROCEDURAL SCHEDULE**

Issue Date: April 9, 2020

Effective Date: April 9, 2020

On April 9, 2020, The Empire District Electric Company (Empire) filed its request for relief from having to file position statements or, in the alternative, move the filing of position statements until after the parties make any additional offers of evidence. In support of its motion, Empire says that the parties positions will be contained in their briefs, Empire employees and witnesses would like to focus on their families over the Easter holiday, and settlement of the case is more likely if the parties focus on settlement.

The Office of the Public Counsel (OPC) filed a response in opposition to granting relief from filing position statements. In support of its response, OPC states: “Public Counsel expected that the Commissioners might ask questions of the parties and have them answered on the record and, further, that the Commissioners would want to be informed by the parties of their positions on their issues to be better informed before the Commissioners posed such questions.”

Position statements were not included in the proposed procedural schedule put forth by the parties in Staff’s motion to cancel the evidentiary hearing. The position statements were added to the procedural schedule for the reasons deduced by OPC.

Position statements assist the Commission in understanding essential conflicts between the parties on disputed issues prior to hearing.

In recognition of the parties' efforts to resolve many of the disputed issues prior to hearing or case submission, the Commission will extend the time to file position statements to coincide with additional offers of evidence. The parties only have to provide position statements as to issues that are still in dispute at that time.

**THE COMMISSION ORDERS THAT:**

1. The procedural schedule is modified. The parties shall file position statements on disputed issues no later than April 17, 2020.
2. This order is effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

John T. Clark, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 9<sup>th</sup> day of April, 2020.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 9<sup>th</sup> day of April 2020.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**April 9, 2020**

**File/Case No. ER-2019-0374**

**Missouri Public Service Commission**

Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**

Marc Poston  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opc@psc.mo.gov

**Empire District Electric Company, The**

Diana C Carter  
428 E. Capitol Avenue, Suite 303  
Jefferson City, MO 65101  
Diana.Carter@LibertyUtilities.com

**Empire District Retired Members & Spouses Association, LLC**

Douglas Healy  
3010 E. Battlefield, Suite A  
Springfield, MO 65804  
doug@healylawoffices.com

**Empire District Retired Members & Spouses Association, LLC**

Terry M Jarrett  
514 E. High Street, Suite 22  
Jefferson City, MO 65101  
terry@healylawoffices.com

**IBEW Local Union 1464**

Michael E Amash  
753 State Ave, Suite 475  
Kansas City, KS 66101  
mea@blake-uhlig.com

**IBEW Local Union 1474**

Michael E Amash  
753 State Ave, Suite 475  
Kansas City, KS 66101  
mea@blake-uhlig.com

**Midwest Energy Consumers Group**

David Woodsmall  
308 E. High Street, Suite 204  
Jefferson City, MO 65101  
david.woodsmall@woodsmalllaw.com

**Missouri Division of Energy**

Jacob Westen  
1101 Riverside Drive  
P.O. Box 176  
Jefferson City, MO 65102-0176  
Jacob.Westen@dnr.mo.gov

**Missouri Public Service Commission**

Whitney Payne  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
whitney.payne@psc.mo.gov

**National Housing Trust**

Andrew J Linhares  
3115 S. Grand Ave  
Suite 600  
St. Louis, MO 63118  
Andrew@renewmo.org

**Natural Resources Defense Council**

Henry B Robertson  
319 N. Fourth St., Suite 800  
St. Louis, MO 63102  
hrobertson@greatriverslaw.org

**Renew Missouri**

Tim Opitz  
409 Vandiver Dr Building 5, Suite 205  
Columbia, MO 65202  
tim@renewmo.org

**Sierra Club**


Henry B Robertson  
319 N. Fourth St., Suite 800  
St. Louis, MO 63102  
hrobertson@greatriverslaw.org

**The Empire District Electric Company SERP Retirees, LLC**

David Woodsmall  
308 E. High Street, Suite 204  
Jefferson City, MO 65101  
david.woodsmall@woodsmalllaw.com

***Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).***

***Sincerely,***

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, prominent "M" and "W".

**Morris L. Woodruff  
Secretary**

---

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.