

**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 ) Case No. ER-2019-0374  
Service Provided to Customers in its Missouri Service Area )

**MOTION FOR WAIVER AND REQUEST FOR EXPEDITED TREATMENT**

COMES NOW The Empire District Electric Company, a Liberty Utilities company (“Liberty-Empire” or the “Company”), and for its Motion for Waiver and Request for Expedited Treatment pursuant to Commission Rules 20 CSR 4240-2.015, 2.080, 2.130, and 2.205, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. Surrebuttal and true-up direct testimonies are due to be filed herein on Friday, March 27, 2020.
2. Rule 2.130(8) provides that pre-filed testimony shall be accompanied by an affidavit providing the oath of each witness. This is generally done through verification in front of a Notary Public.
3. Rules 2.015 and 2.205 provide that a waiver or variance may be granted as to any provision of the Commission’s rules for good cause, and Rule 2.080(14) allows for expedited treatment.
4. Due to COVID-19 safety concerns, guidelines, and requirements, many Liberty-Empire employees are working remotely and are avoiding all unnecessary contact with other people.
5. Good cause exists to grant a waiver or variance of the affidavit requirement, in light of the COVID-19 pandemic and the importance of utility employees continuing to be able to provide safe and reliable service for utility customers. At the time the testimony is filed, each witness will be able to electronically execute an affidavit, but without verification before a Notary Public. Before any pre-filed testimony is admitted into evidence, there will be an

opportunity for the witness to take the stand and affirm his or her testimony under oath, or, alternatively, a written and verified affidavit could be provided at a later date.

6. Liberty-Empire requests action from the Commission on this Motion by March 26, 2020, as testimony is due to be filed on March 27, 2020.

7. The granting of this Motion by the requested date will not negatively impact customers or the general public and will not prejudice any party to this proceeding. As noted above, written affidavits will be able to be provided at a later date, when contact with others is safe, or witnesses will be able to take the stand and affirm their testimony under oath.

8. This Motion was filed as soon as possible after learning of the COVID-19 safety concerns and resulting “social distancing” guidelines and requirements.

WHEREFORE, Liberty-Empire requests an order of the Commission by March 26, 2020, granting a waiver of the requirement that pre-filed surrebuttal and true-up direct testimony be accompanied by an affidavit providing the oath of each witness. Liberty-Empire requests such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527

428 E. Capitol Ave., Suite 303

Jefferson City, Missouri 65101

Joplin Office Phone: (417) 626-5976

Cell Phone: (573) 289-1961

E-Mail: Diana.Carter@LibertyUtilities.com

### **CERTIFICATE OF SERVICE**

I hereby certify that the above document was filed in EFIS on this 21<sup>st</sup> day of March, 2020, with notification of the same being sent to all counsel of record.

/s/ Diana C. Carter