

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of The)
Empire District Electric Company d/b/a)
Liberty to Obtain a Certificate of) File No. EA-2023-0131
Convenience and Necessity to Enhance)
System Resiliency)

ORDER DIRECTING NOTICE, SETTING INTERVENTION AND RESPONSE DEADLINES, AND DIRECTING STAFF RECOMMENDATION

Issue Date: February 16, 2023

Effective Date: February 16, 2023

On February 14, 2023, The Empire District Electric Company d/b/a Liberty filed an application with the Commission seeking an order granting a Certificate of Convenience and Necessity (CCN) pursuant to Sections 393.140, 393.170.1 and 393.190.1, RSMo. The CCN would authorize Liberty to construct, install, own, operate, maintain, and otherwise control and manage two combustion turbine generators, each with a nominal net output of 13.3 MW to replace existing combustion turbine generators Riverton Unit 10 and Riverton Unit 11. The proposed construction will be within the existing Riverton Power Plant property boundaries in Riverton, Cherokee County, Kansas.

The Commission will provide notice of the application to the general public and interested parties, will set a deadline for intervention requests, and direct the Staff of the Commission (Staff) to file a recommendation. If no party requests a hearing, the Commission may determine that a hearing is not necessary for a determination of the application.¹

¹ *State ex rel. Deffenderfer v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall provide a copy of this order to the County Commission of Cherokee County, Kansas.
2. The Commission's Public Policy and Outreach Department shall make notice of this order available to the members of the Missouri General Assembly representing Liberty's service territory and to the media serving that area.
3. Applications to intervene in this matter shall be filed no later than March 20, 2023. The application shall be filed in the Commission's Electronic Filing and Information System (EFIS) or with the Secretary of the Commission, Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102.
4. Staff shall file a recommendation regarding the application, or a status report stating when it expects to file a recommendation, no later than April 3, 2023.
5. Any other party may file a response no later than April 3, 2023.
6. This order shall be effective when issued.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Kenneth J. Seyer, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 16th day of February, 2023.

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 16th day of February, 2023.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

February 16, 2023

File/Case No. EA-2023-0131

**Missouri Public Service
Commission**
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Liberty (Empire)
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**Missouri Public Service
Commission**
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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**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.