

**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)	<u>Case No. EA-2023-0131</u>
Convenience and Necessity to Enhance)	
System Resiliency)	

RESPONSE TO LIBERTY’S MOTION TO STAY PROCEEDINGS

COMES NOW the Office of Public Counsel (Public Counsel) and states that it does not oppose the Commission granting Liberty’s request to “reliev[e] Staff of its current obligation to file a recommendation or procedural schedule and otherwise staying these proceedings (with the exception of data requests).” By its application Liberty seeks a certificate of convenience and necessity to install two relatively small new combustion turbines (13.3 MW each) at its Riverton energy center in Kansas for serving its customers, including Missourians. In the first paragraph of its motion Liberty states:

On February 14, 2023, Liberty filed its Application for a Certificate of Convenience and Necessity to Enhance System Resiliency, as the Riverton project to enhance the resiliency of the Company’s electric system may require a CCN pursuant to the definitions of “construction” and “asset” in Commission Rule 20 CSR 4240-20.045(1) and 20.045(2)(A).

The Commission should note that, for the first time, Liberty is raising by this paragraph that it may not require the certificate for which it has applied.

Respectfully,

/s/ Nathan Williams

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 10th day of May 2023.

/s/ Nathan Williams