

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

In the Matter of the Empire District Electric Company, )  
Liberty Utilities (Central) Co., and Liberty Sub Corp. )  
Concerning an Agreement and Plan of Merger and )  
Certain Related Transactions )

**Case No. EM-2016-0213**

**LIST OF ISSUES, LIST AND ORDER OF WITNESSES,  
ORDER OF OPENING STATEMENTS, AND  
ORDER OF CROSS-EXAMINATION**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and on behalf of all of the parties,<sup>1</sup> submits the following *List of Issues, List and Order of Witnesses, Order of Opening Statements, and Order of Cross-Examination*:

**List of Issues, List and Order of Witnesses, Order of Opening:**

This *List of Issues* includes contributions by several parties with adverse positions in this action; it is necessarily a compromise. Not all parties agree that every issue herein listed is properly an issue to be decided by the Commission in this case. Not all parties agree on the wording of every issue.

**Monday, August 29, 2016:**

**9:00 A.M. Preliminary Matters**  
Mark Exhibits.  
Entries of Appearance.  
Motions and Outstanding Matters.

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<sup>1</sup> Most of the parties affirmatively indicated their agreement with this *List of Issues*; however, some had not as of the time of filing. No party affirmatively indicated its disagreement with this *List of Issues*.

**10:00 A.M. Opening Statements**

Joint Applicants  
Office of the Public Counsel (OPC)  
Staff  
The Empire District Electric SERP Retirees (EDES)  
Missouri Division of Energy (DE)  
Missouri Energy Consumers' Group (MECG)  
Missouri Energy Users' Association (MEUA)  
City of Joplin  
Renew Missouri  
Empire District Retired Members & Spouses Association (EDRMA)  
International Brotherhood of Electrical Workers (IBEW) Local 1464  
IBEW Local 1474  
Pittsburg Corning Corporation  
Laborer's International Union of North America (LIUNA)

**1:00 P.M. Testimony**

**1. Detriment to Public Interest**

- a. Will the acquisition by LU Central and Liberty Sub Corp. of all of the capital stock of The Empire District Electric Company under the terms of the Agreement and Plan of Merger dated February 9, 2016 be detrimental to the public interest?
- b. To the extent there are any claimed detriments, what conditions, if any, are proposed by the parties that, if adopted by the Commission, would mitigate any such potential detriment or in the aggregate would offset any potential detriments?

**JOINT APPLICANT WITNESSES**

Steven Fetter

Peter Eichler

Brad Beecher

David Pasieka

Chris Krygier

Kelly Walters

**STAFF WITNESSES**

Kim Bolin

Deborah Bernsen

Shana Griffin

Brad Fortson

Bob Schallenberg

David Sommerer

Derick Miles

**DIVISION OF ENERGY WITNESS**

Martin Hyman

**OPC WITNESSES**

Ryan Pfaff

Ara Azad

Dr. Geoff Marke

Tuesday, August 30, 2016, Testimony Continues

Wednesday, August 31, 2016, Testimony Continues

***Order of Cross-Examination:***

**Joint Applicant Witnesses**

OPC, Staff, EDESR, DE, Renew Missouri, Joplin, EDRMA, MEUA, MECG, PCC, IBEW Local 1464, IBEW Local 1474, LiUNA.

**Staff Witnesses**

OPC, Joint Applicants, EDESR, DE, Renew Missouri, Joplin, EDRMA, MEUA, MECG, PCC, IBEW Local 1464, IBEW Local 1474, LiUNA.

**OPC Witnesses**

Staff, EDESR, DE, Renew Missouri, Joplin, EDRMA, MEUA, MECG, PCC, IBEW Local 1464, IBEW Local 1474, LiUNA, Joint Applicants.

**DE Witnesses**

OPC, Staff, Joint Applicants, EDESR, Renew Missouri, Joplin, EDRMA, MEUA, MECG, PCC, IBEW Local 1464, IBEW Local 1474, LiUNA.

**WHEREFORE,** Staff prays on behalf of all of the parties herein that the Commission will accept this List and Order of Witnesses, Order of Opening and Order of Cross.

Respectfully Submitted,

**/s/ Mark Johnson**

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Senior Counsel  
Missouri Bar No. 64940  
Attorney for the Staff of the  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this 17<sup>th</sup> day of August, 2016, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

**/s/ Mark Johnson**