

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held by telephone
and internet audio conference
on the 21st day of May, 2020.

In the Matter of the True-Up of)	
The Empire District Electric Company's)	<u>File No. EO-2020-0312</u>
Fuel Adjustment Clause (FAC))	Tariff No. JE-2020-0171

ORDER APPROVING FUEL ADJUSTMENT TRUE-UP FILING

Issue Date: May 21, 2020

Effective Date: May 31, 2020

The Empire District Electric Company, a Liberty Utilities company (Liberty-Empire) seeks the Commission's approval of a true-up filing and amount related to the company's fuel adjustment clause, as provided by Commission Rule 20 CSR 4240-20.090(9). The true-up filing concerns billing months June through November 2019, which are designated Recovery Period 21. Liberty-Empire's filing indicates during that period it under-recovered \$1,074,609 from customers.

Staff on May 1, 2020, recommended the Commission approve Liberty-Empire's true-up filing of \$1,074,609 in under-collected costs for Recovery Period 21. The Commission received no additional responses to Liberty-Empire's true-up filing within the 40-day period allowed by rule.¹

On May 12, 2020, in response to a May 11, 2020 filing by the Office of the Public Counsel in opposition to approval of Liberty-Empire's tariff filing in File No. ER-2020-0311, the Commission directed Staff, Liberty-Empire and OPC to file responses to clarify

¹ Responses from the Office of the Public Counsel and other parties were due on May 11, 2020. 20 CSR 4240-20.090(9)(E).

whether OPC's opposition to approval of the revised tariff in ER-2020-0311 should hinder or delay the Commission's consideration of Liberty-Empire's true-up filing in this case. Staff, Liberty-Empire and OPC on May 13, 2020, filed a joint response stating the parties agree OPC's opposition to approval of the revised tariff in ER-2020-0311 should have no effect on consideration of Liberty-Empire's true-up filing.

Based on the parties' joint response, the Commission finds that while the true-up amount for Recovery Period 21 is a component of the tariff proposed in File No. ER-2020-0311, approval of the true-up amount neither constitutes nor requires approval of Liberty-Empire's proposed substitute tariff.

On the basis of Liberty-Empire's uncontested filing and Staff's review and recommendation, the Commission concludes Liberty-Empire's true-up filing and amount should be approved. Approval of the true-up filing and amount does not constitute approval of the tariff sheet submitted by Liberty-Empire and assigned Tariff No. JE-2020-0171.²

To comply with the initial 60-day period for review of a true-up filing required by rule,³ this order will be effective in fewer than 30 days.

THE COMMISSION ORDERS THAT:

1. Liberty-Empire's true-up filing and amount for Recovery Period 21 is approved.

² Liberty-Empire on April 1, 2020, filed identical tariff sheets in File No. EO-2020-0312 and File No. ER-2020-0311. The tariff sheets were assigned Tariff No. JE-2020-0171. On April 6, 2020, Liberty-Empire filed a substitute tariff to correct an error in the tariff sheet.

³ 20 CSR 4240-20.090(9)(F).

2. This order does not approve a tariff sheet. The substitute tariff sheet assigned Tariff No. JE-2020-0171 will be addressed by proceedings in File No. ER-2020-0311.

3. This order shall be effective on May 31, 2020.

4. This file shall close on June 1, 2020.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Jacobs, Regulatory Law Judge