

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone and internet audio conference on the 12th day of May, 2021.

In the Matter of the 2022 Triennial)
Compliance Filing Pursuant to 20 CSR) **File No. EO-2021-0331**
4240-22 by The Empire District Electric)
Company d/b/a Liberty)

ORDER APPROVING AGREEMENT

Issue Date: May 12, 2021

Effective Date: June 11, 2021

On April 1, 2021, The Empire District Electric Company d/b/a Liberty (Empire) filed an Application (Application) asking the Commission to grant it variances from certain requirements of the Commission's Integrated Resource Planning Rule, 20 CSR 4240-22.030 and 20 CSR 4240-20.094. The requested variances will affect Empire's next triennial IRP filing, which is due by April 1, 2022. On April 25, 2021, Empire, the Staff of the Commission (Staff), and the Office of the Public Counsel (OPC) filed a Notice of Agreement Regarding Application for Variances (Agreement).¹

Appendix A (Demand-Side Resource Analysis) and Appendix B (Load Analysis and Load Forecasting) to the Application identified the specific portions of the Rules for which Empire is requesting variances, as well as the justification for the granting of those requests. For the demand-side resource analysis, the parties agreed that collecting Missouri Energy Efficiency Investment Act (MEEIA) data and incorporating the data into the 2022 IRP analysis would not likely be feasible. This is because such collection could jeopardize submission by the 2022 IRP filing deadline. Therefore, the parties agreed that

¹ Dogwood Energy, LLC intervened, and did not object to the Agreement.

the demand-side resource analysis variance requests should be approved for the 2022 IRP, but on the condition that Empire agree to begin conducting residential and commercial surveys to collect the primary data needed for future market potential studies as soon as practical. Staff and OPC do not object to the variance requests in Appendix B.

The Commission may resolve any part of this proceeding on the basis of a stipulation and agreement.² After reviewing the agreement, the Commission finds and concludes that the Agreement is a reasonable resolution of the issues. The Commission will approve the Agreement.

THE COMMISSION ORDERS THAT:

1. The Notice of Agreement is approved.
2. Empire is granted variances from the provisions of Commission Rules 20 CSR 4240-22.030 and 20 CSR 4240-20.094 related to the Demand-Side Resource Analysis and Load Analysis and Forecasting of Electric Utility Resource Planning that are described in the Application Appendix A, as modified by the Agreement, and Application Appendix B.
3. This order shall be effective on June 11, 2021.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, and
Holsman, CC., concur.
Kolkmeier, C., abstains.

Pridgin, Regulatory Law Judge

² Commission Rule 20 CSR 4240-2.115(1)(B).