

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

In the Matter of the 2022 RES )  
Compliance Report and 2023 RES )  
Compliance Plan of The Empire District )  
Electric Company d/b/a Liberty )

**Case No. EO-2023-0358**

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission Staff (“Staff”) and for its *Staff Recommendation*, states as follows:

1. On April 14, 2023, The Empire District Electric Company d/b/a Liberty (“Liberty”) its 2022 Renewable Energy Standard (RES) Compliance Report (“Report”) and 2023 RES Compliance Plan (“Plan”) as required by 20 CSR 4240-20.100(8).

2. Thereafter, the Public Service Commission (“Commission”) ordered Staff and OPC to review the Report and Plan and to file a report on May 30, 2023.

3. Liberty filed an amended RES Report and Plan on May 24, 2023.

4. On May 30, the Commission approved Staff’s May 26 request for an extension of time until June 23, 2023.

6. On June 22, 2023, Staff asked Liberty to review and amend its Report and Plan due to some issues Staff found. Liberty agreed. Liberty, Staff, and the Office of Public Counsel request an extension, until August 7, 2023, for Liberty to amend and refile its Report and Plan, and for Staff and the OPC to review it.

7. On August 4, 2023, Liberty filed a second amended Report and Plan, and requested that the Commission extend the recommendation due dates to August 17, 2023, which the Commission granted on August 7, 2023.

8. Staff has reviewed the Report and Plan, and attached are memorandums regarding Liberty's compliance with Rule 20 CSR 4240-20.100(8).

9. For Liberty's Report, Staff notes Based on its review, Staff has identified several deficiencies, which are explained in further detail in the memorandum.

- Reported Renewable Energy Credits (RECs) sold information differs between the report and Attachment 3.
- Section D.
  - Staff recommends that the Commission order Liberty to provide an explanation of how the REC values were calculated. For RECs/SRECs that were sold or transferred Liberty should provide information on those sales and transfers including the vintage years and certificate serial numbers of the RECs transferred.
  - The Renewable Energy Credits ("REC") generated by owned facilities and the associated value is lacking information for all owned facilities in Section D.
- Section E.
  - Staff recommends that the Company refile the HC version of Attachment 2 without redactions (i.e. it appears Liberty filed the public redacted version as the HC version).
  - Staff recommends the Commission order Liberty to provide justification for the numbers it provided in Table 3, and correct the report and attachments as necessary.
  - Staff recommends the Commission order Liberty to provide the vintage year and serial numbers of RECs for each trade made in the 2022 calendar year.
- Section G.
  - Staff recommends the Company provide a corrected version of Attachment 5 with all RECs carried forward included.
- Section I.
  - Staff recommends the Company provide Green-e certificates as done in previous years, or an attestation for purchased energy that the energy was derived from an eligible renewable energy technology and that the renewable attributes of the energy have not been used to meet the requirements of any other local or state mandate.
- Section P.
  - Staff recommends the Commission order Liberty to provide a corrected report and/or Attachment 8 with justification for the costs included/excluded.

10. For Liberty's Plan, Staff has not identified any deficiencies. However, Staff has not made a ratemaking determination whether the Plan is the least cost,

prudent method in complying with the RES, and suggests the Commission be clear in any Order it may issue in this case that it is not making any ratemaking determination.

**WHEREFORE**, Staff prays the Commission accept its *Staff Recommendation*, and order Liberty to file an amended Report, as further explained in the attached memorandum, that clarifies and updates the information within.

Respectfully submitted,

**/s/ Nicole Mers**

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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 17th day of August, 2023.

**/s/ Nicole Mers**