

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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

ORDER DIRECTING RESPONSES

Issue Date: May 12, 2020

Effective Date: May 12, 2020

The Empire District Electric Company, a Liberty Utilities company (Liberty-Empire), seeks the Commission's approval of true-up amounts related to the company's fuel adjustment clause, as provided by Commission Rule 20 CSR 4240-20.090(9). Liberty-Empire's April 1, 2020 true-up filing concerns billing months June through November 2019, which are designated Recovery Period 21. Staff on May 1, 2020, recommended the Commission approve Liberty-Empire's true-up filing for Recovery Period 21. No additional responses to Liberty-Empire's true-up filing were received.¹

The true-up amount determined for Recovery Period 21 is used in the revised tariff sheet proposed by Liberty-Empire in a fuel adjustment rate filing in File No. ER-2020-0311. On May 11, 2020, the Office of the Public Counsel filed a pleading opposing Staff's recommendation that the Commission approve the revised tariff sheet in File No. ER-2020-0311.

By rule, the initial 60-day period for approval or rejection of Liberty-Empire's true-up filing expires on May 31, 2020.² The Commission will require Staff, Liberty-Empire and OPC to file responses to clarify whether the Commission should delay consideration

¹ Responses from the Office of the Public Counsel and other parties were due May 11, 2020, within 40 days of the true-up filing. 20 CSR 4240-20.090(9)(E).

² 20 CSR 4240-20.090(9)(F).

or approval of Liberty-Empire's true-up filing in File No. EO-2020-0312 because of issues raised by OPC's opposition to approval of the substitute tariff in ER-2020-0311.

THE COMMISSION ORDERS THAT:

1. No later than 1 p.m. May 15, 2020, the Commission's Staff, Liberty-Empire and the Office of the Public Counsel shall file responses addressing 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 EO-2020-0312.
2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Jana C. Jacobs, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,
on this 12th day of May, 2020.