

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

In the Matter of The Empire District Electric )  
Company d/b/a Liberty (Empire) for )  
Authority to Implement Rate Adjustments ) **File No. ER-2021-0097**  
Related to the Company’s Fuel and ) Tariff No. JE-2021-0092  
Purchase Power Adjustment (FAC) )  
Required in 20 CSR 4240-20.090 )

In the Matter of The Empire District Electric )  
Company d/b/a Liberty (Empire) Fuel ) **File No. EO-2021-0098**  
Adjustment Clause )

**STAFF RECOMMENDATION ON TRUE-UP  
FILING IN FILE NO. EO-2021-0098**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and for its recommendation states as follows:

1. On October 1, 2020, The Empire District Electric Company d/b/a Liberty (Empire) (“Liberty-Empire” or “Company”) filed its twenty-second (22nd) fuel adjustment clause true-up filing under the provisions of 20 CSR 4240-20.090(9).

2. In the attached Staff Memorandum, based on its examination and analysis of information filed and submitted by Liberty-Empire, Staff recommends the Commission approve Liberty-Empire’s true-up filing for Recovery Period 22 (“RP22”) (billing months of December 2019 through May 2020), during which Liberty-Empire over-recovered \$1,423,471 from its customers.

3. The true-up amount of \$(1,423,471) for RP22 is included in the calculation of the Fuel and Purchased Power (“FPA”) amount included in the Company’s Accumulation Period 24 (“AP24”) adjustment filing, also filed on October 1, 2020, in File No. ER-2021-0097.

4. Staff has verified that Liberty-Empire has filed its 2019 annual report and is not delinquent on any assessment; Liberty-Empire is current on its submission of its Surveillance Monitoring reports as required in 20 CSR 4240-20.090(6) and its monthly reports as required by 20 CSR 4240-20.090(5). Other than as noted in the attached Staff Memorandum, Staff is not aware of any other matter before the Commission that affects or is affected by Liberty-Empire's true-up filing.

**WHEREFORE**, Staff recommends the Commission approve Liberty-Empire's RP22 true-up filing for the billing months of December 2019 through May 2020, during which period Liberty-Empire over-recovered \$1,423,471 from its customers, for inclusion in the calculation of the FPA amount in the Company's AP24 adjustment filing in File No. ER-2021-0097.

Respectfully submitted,

**/s/ Jeffrey A. Keevil**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 30<sup>th</sup> day of October 2020.

**/s/ Jeffrey A. Keevil**

## MEMORANDUM

**TO:** Missouri Public Service Commission Official Case File  
File No. EO-2021-0098  
The Empire District Electric Company

**FROM:** Lisa Wildhaber, Senior Utility Regulatory Auditor  
Brooke Mastrogiannis, Utility Regulatory Supervisor  
Cynthia M. Tandy, Utility Regulatory Auditor

/s/ Brad J. Fortson      10/30/2020      /s/ Jeffrey A. Keevil      10/30/2020  
Energy Resources Department / Date      Staff Counsel Department / Date

**SUBJECT:** Staff's Analysis of and Recommendation Concerning The Empire District Electric Company d/b/a Liberty Empire's Twenty-Second Fuel Adjustment Clause True-up Filing Under the Provisions in 20 CSR 4240-20.090(9).

**DATE:** October 30, 2020

On October 1, 2020, The Empire District Electric Company ("Liberty-Empire" or "Company") filed with the Missouri Public Service Commission ("Commission"), in the form of direct testimony and supporting schedules of Liberty-Empire witness Charlotte T. Emery, its twenty-second true-up filing under the provisions of 20 CSR 4240-20.090(9). The Company filed amended direct testimony on October 22, 2020, to correct the dates noted for the accumulation period. The amended direct testimony did not change any of the true-up calculations as initially filed.

Accumulation Period 22 ("AP22") includes the time period March 1, 2019 through August 31, 2019 and is followed by Recovery Period 22 ("RP22"), which includes the billing months of December 2019 through May 2020. The true-up amount of \$(1,423,471) identified in this filing is the result of an over-recovery of the Fuel and Purchased Power Adjustment ("FPA") amount for AP22 during RP22.

The true-up amount of \$(1,423,471) for RP22 is included in the calculation of the Fuel and Purchased Power ("FPA") amount included in the Company's Accumulation Period 24 ("AP24")

adjustment filing, also filed on October 1, 2020, in File No. ER-2021-0097, which Liberty-Empire filed in compliance with its FAC.<sup>1</sup>

The Commission Staff (“Staff”) examined the direct testimony of Liberty-Empire witness Charlotte T. Emery, the amended direct testimony of Ms. Emery, the supporting schedules and work papers Liberty-Empire provided with its true-up filing in this case, and the monthly information Liberty-Empire has submitted to the Commission. Staff also reviewed and agrees with Liberty-Empire’s monthly interest calculations for RP22.

Based on its examination and analysis of information Liberty-Empire filed and submitted in this case, Staff recommends the Commission approve Liberty-Empire’s RP22 true-up filing for the billing months December 2019 through May 2020 during which Liberty-Empire over-recovered \$1,423,471 from its customers for inclusion in the calculation of the FPA amount in the Company’s AP24 adjustment filing in File No. ER-2021-0097.

Staff has verified that Liberty-Empire has filed its 2019 annual report and is not delinquent on any assessment. Liberty-Empire is current on its submission of its Surveillance Monitoring reports as required in 20 CSR 4240-20.090(6) and its monthly reports as required by 20 CSR 4240-20.090(5). Staff is not aware of any other matter before the Commission that affects or is affected by this filing, except as noted herein.

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<sup>1</sup> The Empire District Electric Company’s P.S.C. Mo. No. 5, Section 4, Original Sheet No. 17ab tariff sheet:

TRUE-UP OF FPA: In conjunction with an adjustment to its FAR, the Company will make a true-up filing with an adjustment to its FAC on the first Filing Date that occurs after completion of each Recovery Period. The true-up adjustment shall be the difference between the FPA revenues billed and the FPA revenues authorized for collection during the true-up recovery period, i.e. the true-up adjustment. Any true-up adjustments or refunds shall be reflected in item T above and shall include interest calculated as provided for in item I above.

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**AFFIDAVIT OF LISA WILDHABER, BROOKE MASTROGIANNIS  
AND CYNTHIA M. TANDY**

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF COLE )

**COME NOW** Lisa Wildhaber, Brooke Mastrogiannis, and Cynthia M. Tandy and on their oath declare that they are of sound mind and lawful age; that they contributed to the foregoing *Staff Memorandum*; and that the same is true and correct according to their best knowledge and belief, under penalty of perjury.

Further your Affiants sayeth not.

/s/ Lisa Wildhaber  
Lisa Wildhaber

/s/ Brooke Mastrogiannis  
Brooke Mastrogiannis

/s/ Cynthia M. Tandy  
Cynthia M. Tandy