

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

In the Matter of the 2022 Triennial)
Compliance Filing Pursuant to 20 CSR)
4240-22 by The Empire District Electric)
Company d/b/a Liberty)

Case No. EO-2021-0331

MOTION FOR EXTENSION

COMES NOW the Office of the Public Counsel (the “OPC”) and in response to The Empire District Electric Company d/b/a Liberty’s (“Liberty”) Letter of Transmittal and 2022 Integrated Resource Plan (the “2022 Triennial IRP,” Doc. 11)¹ and pursuant to 20 CSR 4240-22.080(15), requests that the Public Service Commission of the State of Missouri (the “Commission”) extend the time for the OPC to file a report or comments as described in 20 CSR 4240-22.080(8). The OPC respectfully states as follows:

I. Relevant Background

On April 1, 2022, Liberty filed the 2022 Triennial IRP. (Doc. 11).

II. Applicable Legal Standard

The Commission’s electric utility resource planning rules require each “electric utility which sold more than one (1) million megawatt-hours to Missouri retail electric customers for calendar year 2009 [to] . . . make a filing with the commission every three (3) years on April 1.” 20 CSR 4240-22.080(1). The rule sets forth a schedule directing when specific electric utilities will make these filings. *See id.*

The OPC may “file a report or comments” within 150 days after an electric utility’s triennial compliance filing. 20 CSR 4240-22.080(8). The report or comments may identify deficiencies or “concerns with the utility’s triennial compliance filing and may identify concerns

¹ References to document numbers represent the document numbers assigned in the Electronic Filing Information System (“EFIS”).

related to the substantive reasonableness of the preferred resource plan or resource acquisition strategy.” *Id.*

The Commission “may extend or reduce” the time period in which the OPC may file its report or comments “for good cause shown.” 20 CSR 4240-22.080(15) (stating “[t]he commission may extend or reduce any of the time periods specified in this rule for good cause shown.”).

III. Analysis

Due to the press of business, including involvement in several large cases, and limitations with technical experts, the OPC respectfully requests a short ten (10)-day extension of time in which to file its report or comments in response to Liberty’s 2022 Triennial IRP. Such an extension would result in the OPC filing its report or comments on or before September 8, 2022. In support of its request, the OPC states that it has noted no deficiencies with the filing. It has, however, noted some concerns.

The OPC has spoken with counsel for Liberty; the Staff of the Commission; Dogwood Energy, LLC; and the Missouri Department of Natural Resources-Division of Energy (“DE”).² Each counsel indicated that his or her client either does not oppose or has no objection to the requested extension.

² DE has filed an Application to Intervene in this matter (Doc. 13), however, the Commission has not yet ruled upon that application.

IV. Conclusion

WHEREFORE, the Office of the Public Counsel respectfully requests that the Commission grant the OPC an extension of time in which it may submit a report or comments in response to Liberty's 2022 Triennial IRP by ten (10) days, until September 8, 2022.

Respectfully submitted,

/s/ Lindsay VanGerpen
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CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this 29th day of August 2022.

/s/ Lindsay VanGerpen