

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its Office in Jefferson City, Missouri on the 27th day of October, 2021.

In the Matter of a Determination of Special Contemporary Resource Planning Issues to be Addressed by The Empire District Electric Company in its Next Triennial Compliance Filing or Next Annual Update Report)
) **File No. EO-2022-0057**
)
)
)

ORDER ESTABLISHING SPECIAL CONTEMPORARY RESOURCE PLANNING ISSUES

Issue Date: October 27, 2021

Effective Date: November 6, 2021

A provision in the Commission's electric utility resource planning rule, 20 CSR 4240-22.080(4), requires Missouri's electric utilities to consider and analyze special contemporary issues in their integrated resource plan (IRP) triennial compliance filings or in their annual IRP update reports. The regulation provides that by September 15 of each year, the Commission's Staff (Staff), the Office of the Public Counsel (Public Counsel), and other interested stakeholders may file suggested issues for consideration. The regulation allows the utilities and other stakeholders until October 1 to file comments regarding the suggested issues. The Commission is then to issue an order by November 1 of each year specifying the list of special contemporary issues that each electric utility must address.

Staff, Public Counsel, and Renew Missouri Advocates d/b/a Renew Missouri filed suggested special contemporary issues for The Empire District Electric Company d/b/a Liberty (Liberty) to analyze and respond to in its 2022 triennial IRP filing. Liberty filed

responses to those suggestions. The Commission must now determine what special contemporary issues Liberty should address.

This is not a contested case. The Commission does not need to hear evidence before reaching a decision and does not need to make findings of fact and conclusions of law in announcing that decision.¹ The Commission's rule gives the Commission broad discretion in determining what issues a utility should be required to address, indicating:

[t]he purpose of the contemporary issues lists is to ensure that evolving regulatory, economic, financial, environmental, energy, technical, or customer issues are adequately addressed by each utility in its electric resource planning. Each special contemporary issues list will identify new and evolving issues but may also include other issues such as unresolved deficiencies or concerns from the preceding triennial compliance filing.²

After considering these factors, the Commission will adopt the list of special contemporary issues set forth in this order. The Commission has chosen these issues because they are of particular interest and importance and should be addressed in Liberty's IRP filing. Liberty may already plan to address these issues in its IRP filing apart from their designation as special contemporary issues, or it may believe it has already adequately addressed some of these issues in a previous IRP filing, or some other filing. If that is so, then it does not need to undertake any additional analysis because of this designation and may simply explain in its upcoming IRP filing exactly where the Commission can find that other analysis. The Commission does not intend that a utility spend an unreasonable amount to address any special contemporary issue. If Liberty finds that the cost to address a special contemporary issue is excessive, it may explain

¹ *State ex rel. Public Counsel v. Public Service Com'n*, 259 S.W.3d 23, 29 (Mo. App. W.D. 2008).

² 20 CSR 4240-22.080(4).

its concerns in its next IRP filing, while addressing the issue to the extent reasonably possible.

To give Liberty as much time as possible to examine these issues before its next IRP filing, the Commission will make this order effective in ten days.

THE COMMISSION ORDERS THAT:

1. Liberty shall analyze and document the following special contemporary issues in its 2022 triennial IRP filing:

A Provide details of its plan, if any, to utilize securitization. Details should include, but not be limited to: 1) type of items to be securitized; 2) explanation for need of securitization for each item; 3) how it plans to utilize securitization for each item; 4) estimated costs of securitized items; and 5) comparison of ratepayer costs and benefits related to its IRP planning.

B. Provide detailed analysis in its next triennial IRP filing comparing ratepayer risks and shareholder risks for additional generation resources that are not required to meet federal, state, or RTO requirements.

C. Given the recent COVID pandemic and the Winter Storm Uri weather event, provide details of its plan for handling future emergency events such as these. The details provided should give a clear plan for maintaining supply-side resource generation and public welfare during emergency events.

D. Analyze and document the prospects for using securitization to support cost-effective accelerated retirement of coal generation assets and to channel the savings into cost-effective investments such as demand-side management, wind and solar generation, and storage.

E. Analyze and document the projected interconnection costs when evaluating additional supply-side options.

F. Analyze and document planning scenarios that include robust storage uptake consistent with FERC Order 841 including identifying current Battery Energy Storage System cost assumptions used to develop the scenario.

2. This order shall become effective on November 6, 2021.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

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

Woodruff, Chief Regulatory Law Judge


STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, Missouri, this 27th day of October, 2021.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 27, 2021

File/Case No. EO-2022-0057

Missouri Public Service Commission

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large initial "M".

**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.