

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

In the Matter of a Working Case Regarding Utility )  
Actions Related to Securing Funding from the ) File No. AW-2023-0156  
Infrastructure Investment and Jobs Act and the )  
Inflation Reduction Act of 2022 )

**LIBERTY’S RESPONSE TO COMMISSION ORDER**

COME NOW The Empire District Electric Company, The Empire District Gas Company, Liberty Utilities (Missouri Water) LLC, and Liberty Utilities (Midstates Natural Gas) Corp. (collectively, “Liberty” or the “Company”):

1. With the *Order Directing Status Reports and Updates*, issued September 27, 2023, the Commission directed each utility to “file a status report explaining all attempts it has made to obtain federal funding through the IIJA and IRA, the success it has had at obtaining those funds, and the plans it has to utilize those funds.”

2. Liberty is particularly proud to note that the U.S. Department of Energy (“DOE”) selected Liberty (The Empire District Electric Company) to receive up to \$47.5 million in federal funding as part of the Grid Resilience and Innovation Partnerships (GRIP) program. This program seeks to enhance grid flexibility and improve the resilience of the power system against growing threats of extreme weather, and the funds will support part of the cost to implement smart grid technology and enhanced systems across Liberty’s electric service areas in Missouri, Arkansas, Kansas, and Oklahoma. Liberty looks forward to working with the Department of Energy, this Commission, and our other state regulatory commissions as we complete the next steps in the process.

3. As requested by the Commission, the chart below addresses the following regarding Liberty’s funding attempts and existing applications: (a) reason or plan for the funds requested; (b) application date; (c) application status; and (d) dollar amount requested.

Funding Project	Description	Dollar Amount Requested	Plan for Funds	Application Status
IIJA Grid Resilience and Innovation Partnership (GRIP) Program: Topic Area 2: Smart Grid Grants	Project DA: Distribution Automation Deployment In Missouri, Kansas, Arkansas, and Oklahoma	\$47.49M	Deploy ~300 vacuum auto recloser schemes arranged in semi-autonomous clusters across the system, and upgrade associated line, conductor, and telecom infrastructure, along with several station upgrades.	On October 17, 2023, the DOE’s Grid Deployment Office notified Empire that this project has been recommended for negotiation of a financial award. To the Company’s best understanding, the remaining steps entail a comprehensive due diligence exercise of the Company’s processes, policies, and accounting practices along with a cybersecurity plan prior to formally authorizing the award and enabling the project to start. The DOE notice states that the negotiation process takes approximately 120 days.
IIJA Grid Resilience and Innovation Partnership (GRIP) Program: Topic Area 1: Grid Resilience Grants	Project MVF: Most Vulnerable Feeder Hardening, Supported by Crowd-Sourced Digital Asset Imagery Analytics in Missouri, Kansas, Arkansas, and Oklahoma	\$92.8M	Rebuild and reinforce 400 miles of most distant circuits from the Company’s operating centers and develop a crowd-sourced, machine learning backed visual asset inspection and analysis system to reduce inspection O&M and speed up event restoration.	On October 18, 2023, the DOE’s Grid Deployment Office notified the Company that this application was not selected for award. The notice also states that the details underlying the rejection will be shared by November 10, 2023.
IIJA Grid Resilience and Innovation Partnership (GRIP) Program: Topic Area 1: Grid Resilience Grants	Ozark Line 39-0 Rebuild Project	Concept Paper Only: Dollar amount was not provided	Rebuild and upgrade capacity on a 100+-year old transmission line to improve inter-area transfer capability and enhance resilience and system flexibility.	Liberty-Empire submitted a Concept Paper for this project in late 2022 and received a notice encouraging to proceed to a full application on February 2, 2023. The Company did not pursue a full application in the last (Spring 2023) GRIP cycle, opting to focus its limited resources on the other two projects that received notices of encouragement (see above). As information on the second cycle of GRIP program awards becomes available, Liberty-Empire will revisit this project and explore the merits of developing a full application in 2024.
IIJA Fund 3062, Section 243	Hydroelectric Efficiency Improvements	\$885,000	Installation of crest gates, designed to control flow over the dam and raise the level of the reservoir to increase the efficiency of dam generation.	Liberty-Empire submitted a full application on July 18, 2023. The Company responded to a message requesting clarification of calculations but did not receive any additional response. There is a possibility we will be informed of federal awards in Q4 2023.

IIJA Fund 3062, Section 247	Hydroelectric Safety	\$1.7M	Construction of a wall/walkway on the downstream side of the dam to safely service the crest gates and clean debris from actuators, etc. Assists with safe maintenance and inspection of the dam.	Liberty-Empire submitted a Letter of Intent in July 2023. The Company received no response/encouragement from the Letter of Intent. The Company submitted the full application on October 6, 2023. There has been no response to the application as of October 30, 2023.
IIJA Fund 3062, Section 247	Hydroelectric Safety	\$70,000	Concrete repairs to spillway that prevent erosion and undermining of the spillway relieving the dam, allowing for continued safe use, and emergency bypass of the dam generation equipment.	Liberty-Empire submitted a Letter of Intent in July 2023. The Company received no response/encouragement from the Letter of Intent. The Company submitted the full application on October 6, 2023. There has been no response to the application as of October 30, 2023.
IIJA Fund 3062, Section 247	Hydroelectric Sediment Control	\$500,000	Dredging of reservoir to maintain its depth/generation capacity, and to improve navigation for boats and docks using the reservoir-maintaining the river channel.	Empire submitted a Letter of Intent in July 2023. The Company received no response/encouragement from the Letter of Intent. The Company submitted the full application on October 6, 2023. There has been no response to the application as of October 30, 2023.
IIJA Fund 3062, Section 247	Hydroelectric Ancillary	\$800,000	Funding for crest gates under Section 247. Under this section, the funds target increasing the reservoir depth for additional generation, and for improved use of the reservoir for navigation and recreation.	Liberty-Empire submitted a Letter of Intent in July 2023. The Company received no response/encouragement from the Letter of Intent. The Company submitted the full application on October 6, 2023. There has been no response to the application as of October 30, 2023.
IIJA Fund 3062, Section 247	Hydroelectric Resiliency	\$600,000	Replacement of a transformer to improve dam reliability and to add future generation capacity to the dam.	Liberty-Empire submitted a Letter of Intent in July 2023. The Company received no response/encouragement from the Letter of Intent. The Company submitted the full application on October 6, 2023. There has been no response to the application as of October 30, 2023.

4. Liberty will continue to investigate and evaluate possible IJJA and IRA funding opportunities and looks forward to receiving additional information from DOE regarding process changes and other information for the next round of submissions.

WHEREFORE, Liberty submits this Response to Commission Order and requests such relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

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**CERTIFICATE OF SERVICE**

I hereby certify that the above document was filed in EFIS on this 31<sup>st</sup> day of October, 2023, and sent by electronic transmission to all counsel of record.

/s/ Diana C. Carter