

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 20th day of April, 2023.

In the Matter of The Empire District Electric)
Company's Application to Discontinue) **File No. ET-2023-0197**
Providing Solar Rebates for its Electric)
Customers in its Missouri Service Area)

**ORDER GRANTING APPLICATION TO DISCONTINUE
SOLAR REBATES AND ORDER GRANTING WAIVER**

Issue Date: April 20, 2023

Effective Date: May 20, 2023

On December 13, 2022, The Empire District Electric Company d/b/a Liberty, filed a Solar Rebate Tariff Application (application). Liberty states that Missouri law provides that electrical corporations with 200,000 or fewer customers shall not be obligated to pay solar rebates exceeding an aggregate amount of \$7,000,000 for the calendar years of 2019 to 2023.¹ Liberty states it has fewer than 200,000 customers, and that it has exceeded the \$7,000,000 threshold of paid solar rebates. Liberty further asks for a waiver of the Commission's 60-day notice rule.²

The Commission's Staff filed its Recommendation on March 29, 2023. Staff states that Liberty has fewer than 200,000 customers, and has met the \$7,000,000 requirement. Thus, Liberty is no longer obligated to pay solar rebates.

Staff also recommends that the Commission order Liberty to file compliance tariffs, and to further address its loss of solar renewable energy credits (SRECs) in its upcoming

¹ Section 393.1670.1(3), RSMo (Cum. Supp. 2022).

² Commission Rule 20 CSR 4240-4.017.

2022 Renewable Energy Standard (RES) filing. Finally, Staff asks that the Commission specify that this order does not make any ratemaking determination. No party has responded to Staff's Recommendation.

The Commission finds that Liberty is entitled to the relief it seeks in its application. Thus, the Commission will grant the application. The Commission will also waive its 60-day notice rule.

Liberty declared in its application, that it had no communication with the "Office of the Commission (as defined in Commission Rule 20 CSR 4240-4.015(10)) within the prior 150 days regarding any substantive issue likely to be in this case."³ Therefore, for good cause shown, the Commission will waive its 60-day notice rule.

THE COMMISSION ORDERS THAT:

1. The application is granted.
2. Liberty shall file compliance tariffs to implement the discontinuation of solar rebates.
3. Commission Rule 20 CSR 4240-4.017(1) is waived for this application.
4. Liberty shall further address this loss of solar renewable energy credits (SRECs) in its upcoming 2022 Renewable Energy Standard (RES) filing.
5. The Commission makes no finding that would preclude the Commission from considering the ratemaking treatment to be afforded any matters pertaining to granting this application.
6. This order shall be effective on May 20, 2023.

³ Application, paragraph 14.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

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

Pridgin, Deputy 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 20th day of April, 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 20, 2023

File/Case No. ET-2023-0197

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

Sincerely,



**Nancy Dippell
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.