

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 16<sup>th</sup> day of November, 2023.

In the Matter of The Empire District Electric Company d/b/a Liberty (Empire) for Authority to Implement Rate Adjustments Related to the Company's Fuel and Purchase Power Adjustment (FAC) Required in 20 CSR 4240-20.090(8) )  
 ) **File No. ER-2024-0118**  
 ) Tracking No. JE-2024-0043  
 )

In the Matter The Empire District Electric Company d/b/a Liberty (Empire) Fuel Adjustment Clause (FAC) True-Up )  
 ) **File No. EO-2024-0119**  
 )

**ORDER APPROVING FUEL ADJUSTMENT  
TRUE-UP AND APPROVING TARIFF TO CHANGE  
FUEL ADJUSTMENT CLAUSE RATES**

Issue Date: November 16, 2023

Effective Date: December 1, 2023

On September 29, 2023, The Empire District Electric Company d/b/a Liberty submitted its proposed tariff to implement its Fuel Adjustment Rate (FAR) for the accumulation period ending August 2023 and the recovery period ending May 2023 as required by Section 386.266, RSMo, and Commission Rule 20 CSR 4240-20.090(8). Liberty filed substitute tariffs on September 29, 2023 and October 4, 2023.

Liberty also submitted an application containing its twenty-eighth true-up filing for its Fuel Adjustment Clause (FAC), as required by Commission Rule 20 CSR 4240-20.090(9). Liberty requests that the Commission authorize a true-up adjustment and implement it under its FAC tariff bearing an effective date of December 1, 2023.

## **FAC true-up**

The true-up amount identified in EO-2024-0119 is the result of an under-collection of \$3,013,909 from customers during Recovery Period 28 (RP28) from December 1, 2022 through May 31, 2023. That true-up amount is included in the Fuel and Purchased Power (FPA) amount in Liberty's Accumulation Period 30 (AP30) adjustment filing in File No. ER-2024-0118, which Liberty filed in compliance with its FAC.

Staff filed its recommendation regarding Liberty's True-up on October 30, 2023, in which it examined the direct testimony of Monica K. Gloodt, her supporting work papers, and the monthly information Liberty provided with its application. Staff recommends the Commission approve Liberty's RP28 true-up filing for inclusion in the changes in Liberty's AP30 adjustment filing in File No. ER-2024-0118.

Based on the Commission's review of the verified filings, the Commission finds that the true-up amount is correct. The Commission will authorize Liberty to include the calculated amount in its next FAC accumulation period as previously described.

## **FAC tariff**

With regard to Liberty's request to approve its FAC tariff, the dollar amount used to calculate the proposed rate schedules for AP30 is \$15,892,251, which includes \$12,173,588<sup>1</sup>, the true-up amount for RP28 of \$3,013,909, interest for AP30 of \$751,953, and a prior period adjustment of \$(47,199). Based on an average usage of 1,000 kWh per month, Liberty's requested adjustment would result in a decrease in the bill of a typical

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<sup>1</sup> This quantity represents 95% of the difference between: a) Liberty's Missouri jurisdiction actual fuel costs plus purchased power costs plus net emissions allowance costs less off-system sales revenue and less renewable energy credits ("REC") revenue, and b) Liberty's Missouri jurisdiction net base energy cost during AP30.

residential customer of approximately \$2.17 per month.

The Commission's Staff filed a recommendation regarding Liberty's tariff on October 30, 2023. Staff verified that Liberty's actual fuel and purchased power costs match the fuel and purchased power costs included in the company's calculated rates set out in the submitted tariff. Staff also reviewed Liberty's monthly interest rates that are applied to the monthly cumulative over- and under-recovery amounts for AP30, and RP28, and the calculation of the monthly amounts. Staff recommends the Commission approve the FAR tariff to become effective on the December 1, 2023.

Commission rules allow parties ten days to respond to pleadings unless otherwise ordered. Ten days have elapsed and no party has objected to Staff's recommendations.

Commission Rule 20 CSR 4240-20.090(8) requires the Commission to issue an order approving or rejecting the company's tariff within 60 days of its filing. If the FAC rate adjustment complies with the Commission's rule, Section 386.266, RSMo, and the FAC mechanism established in the most recent general rate proceeding, the Commission is required to approve the rate adjustment or allow the proposed tariff implementing the adjustment go into effect by operation of law.<sup>2</sup>

The Commission has reviewed Liberty's verified application, Liberty's tariff filing, and Staff's verified recommendation and memorandum and finds that the tariff sheet implementing the FAC rate adjustment is in compliance with the Commission's order establishing the FAC and with all applicable statutes and regulations. Therefore, the Commission will approve Liberty's proposed tariff.

Without Commission action, the tariff will become effective by operation of law on

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<sup>2</sup> Commission Rule 20 CSR 4240-20.090(8)

December 1, 2023. Additionally, as noted above, the Commission's rule requires an order be issued within 60 days of the tariff filing. Therefore, the Commission finds it reasonable to make this order effective in less than 30 days.

**THE COMMISSION ORDERS THAT:**

1. The true-up amount for Recovery Period 28 is established for Liberty as an under-collection of \$3,013,909 from its customers and shall be reflected in the rate adjustment in Commission File No. ER-2024-0118.

2. Liberty's tariff filing in File No. ER-2024-0118, assigned Tracking No. JE-2024-0043, and substituted on September 29, 2023 and on October 4, 2023, is approved to be effective December 1, 2023, as an interim rate adjustment, subject to true-up and prudence reviews. The tariff approved is:

**P.S.C. MO. No. 6 Section 4**

7<sup>th</sup> Revised Sheet No. 17q, Canceling 6<sup>th</sup> Revised Sheet No. 17q

3. This order shall become effective on December 1, 2023.
4. These files shall close on December 2, 2023.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell  
Secretary

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

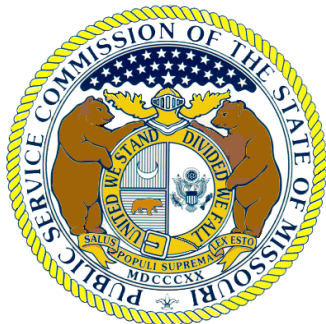
Pridgin, Deputy Chief Regulatory Law Judge

**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 16<sup>th</sup> day of November 2023.



*Nancy Dippell*  
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Nancy Dippell  
Secretary

**MISSOURI PUBLIC SERVICE COMMISSION**

**November 16, 2023**

**File/Case No. ER-2024-0118 and EO-2024-0119**

**MO PSC Staff**

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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**

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