

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

In the Matter of the 2025 Triennial Compliance)
Filing Pursuant to 20 CSR 4240-22 by The) Case No. _____
Empire District Electric Company d/b/a Liberty)

APPLICATION FOR VARIANCE

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”), and, pursuant to 20 CSR 4240-22.080(13), submits this Application for Variance regarding 20 CSR 4240-22.030. In support of its Application for Variance, Liberty respectfully states as follows to the Missouri Public Service Commission (the “Commission”):

1. Liberty is a corporation duly organized and existing under the laws of the state of Kansas, is duly qualified and engaged in doing business in the states of Missouri, Kansas, Arkansas and Oklahoma, is an “electric corporation” and a “public utility” as those terms are defined in RSMo. 386.020, and is subject to the jurisdiction and supervision of the Commission as provided by law.

2. A certified copy of Liberty’s Restated Articles of Incorporation, as amended and as filed in Case No. EF-94-39, is incorporated herein by reference in accordance with Commission Rule 20 CSR 4240-2.060(1)(G). A certificate from the Missouri Secretary of State that Liberty, a foreign corporation, is authorized to do business in Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated by reference in accordance with Commission Rule 20 CSR 4240-2.060(1)(G). This information is current and correct.

3. Liberty has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates. Liberty’s annual report and assessment fees are not overdue.

4. Pursuant to Commission Rule 20 CSR 4240-22.080(1)(B), Liberty’s next triennial IRP filing is due April 1, 2025.

5. Liberty is seeking a variance from a portion of Commission Rule 20 CSR 4240-22.030 with regard to Liberty's 2025 IRP triennial compliance filing. Appendix A (Load Analysis and Load Forecasting) attached to this Application identifies the specific portion of the rule for which Liberty is requesting a variance and the justification for the granting of the request. The variance being requested herein has previously been requested by Liberty and granted by this Commission in other IRP dockets.

6. According to Commission Rule 20 CSR 4240-22.010, Policy Objectives, the fundamental objectives of the resource planning process for electric utilities are to provide the public with energy services that are safe, reliable, and efficient, at just and reasonable rates, in compliance with all legal mandates, and in a manner that serves the public interest and is consistent with state energy and environmental policies. The variance requested by Liberty will not compromise these objectives. In fact, the granting of the requested variance will allow for a load forecasting methodology consistent with the last triennial IRP and will save time and expense in a time-consuming and detailed integrated resource planning endeavor. Approval of this Application would therefore be in the public interest.

WHEREFORE, Liberty respectfully requests, with regard to its 2025 IRP triennial filing, that the Commission issue an Order granting Liberty a partial variance from Commission Rule 20 CSR 4240-22.030(4)(A)(1) with regard to the industrial class, as described in the attached Appendix A.

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 1st day of April, 2024, with notification of the same being sent to all parties of record. I further certify that a copy of the documents was sent by electronic transmission to the Staff of the Commission and the Office of the Public Counsel.

s/ Diana C. Carter

Load Analysis and Load Forecasting 2025 IRP Variance Request

I. End-Use Information for the Industrial Class Variance Request

Commission Rule 20 CSR 4240-22.030(4)(A)(1) requires that analysis for each major class include information by end-use to the extent possible. While Liberty plans to use the Statistically Adjusted End-Use (SAE) method for the Residential, Small Commercial and Large Commercial classes, no end-use information is available for the Large Power (i.e., industrial) class. The SAE method is applicable to the Residential and Commercial classes because end-use data developed by the Energy Information Administration (EIA) and Itron exist for these classes. EIA and Itron do not maintain end-use information for the Industrial class. Likewise, Liberty does not maintain end-use data for the Industrial class.

II. Load Forecasting Class Definition Disclosure and Clarifications

A variance from this section of the IRP Rule is not required, and Liberty is only providing clarification. Various sections of the IRP Rule state that the IRP load forecast should be performed by “major class”, with “major class” defined as a cost-of-service class for the utility. After discussions with stakeholders, particularly the Office of the Public Counsel (“OPC”) during the 2022 IRP, Liberty used a class cost-of-service approach with some rate plan aggregations. For its 2025 IRP, Liberty proposes to use the same load forecasting methodology utilized in the 2022 IRP.

During the 2022 IRP filing, Liberty changed its IRP load forecasting methodology to adopt the cost-of-service class approach as stated within the IRP Rule based on stakeholder recommendations. Due to the recent 2022 IRP definition change, the Company would like to clarify its approach for stakeholders regarding class definition.

On March 31, 2021, Liberty met with OPC for a technical discussion. In this meeting, parties agreed that Liberty should define “Major Classes” according to 20 CSR 4240-22.020(37) as the following.

- Residential (RG rates)
- Small Commercial (CB and SH rates)
- Large Commercial (GP and TEB rates)
- Large Power (LP rate)
- Feed Mills (PFM rate)
- Transmission (PT rate)

- Lighting (LS and PL rates)
- Praxair
- Municipals

For the 2025 IRP filing, Liberty will continue to utilize a similar approach with some possible modifications based on tariff changes from the last rate case that was effective June 1, 2022. While Liberty is not seeking a load forecasting variance regarding classes, the new definitions have implications for forecasting and reporting results. These implications are listed below.

- 20 CSR 4240-22.030(2) requires Liberty to “develop and maintain data” for each major class. In the 2022 IRP filing, Liberty developed new databases for the major classes. These databases are not directly comparable to the databases used in IRP filings before 2022.
- 20 CSR 4240-22.030(6)(A)(1)(B) requires Liberty to describe and document its selection of independent modelling variables that are different from historically used variables. In the 2022 IRP filing, Liberty developed new forecasting models. These models are not directly comparable to the models used in IRP filings before 2022.
- 20 CSR 4240-22.030(6)(C)(3) and 20 CSR 4240-22.030(6)(C)(4) requires Liberty to compare the IRP forecast components to prior IRP forecasts components. Because of the class redefinition, components are not directly comparable to components reported prior to 2022.

However, Liberty will comply with these results and make direct comparison between the 2025 and 2022 IRP results.

While Liberty does not believe that variances are required to address the reporting requirements identified in these rules, Liberty is disclosing the reporting issues associated with the change in forecast classes.