

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

In the Matter of The Empire District Electric            )  
Company's d/b/a Liberty (Empire)                            )  
Fuel Costs Related to the Extraordinary Weather        )  
Event of February 2021                                        )            **File No. EU-2021-0274**

**STAFF CLARIFICATION**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Clarification* in this matter, hereby states:

1. On February 26, 2021, The Empire District Electric Company d/b/a Liberty (Empire) filed its *Notice* pursuant to 20 CSR 4240-4.017 of an intended case filing. On March 22, 2021, Empire filed a *Motion for Temporary Variance and Partial Waiver and Motion for Expedited Treatment* related to its requirement to file a fuel adjustment rate (FAR) pursuant to its fuel adjustment clause (FAC) tariff sheets, which would require the filing of a FAR by April 1, 2021. Empire later withdrew the *Motion* and filed a *Verified Winter Storm Uri AAO Application* on June 2, 2021. The Office of the Public Counsel (OPC) filed a *Motion to Dismiss the Application* on June 28, 2021, and Empire filed a *Response* to which OPC filed a *Reply*. Staff proceeded with its investigation and filed its *Recommendation* on October 8, 2021. The Commission issued an *Order* on October 22, 2021, ordering, among other things, that Staff clarify its recommendation regarding carrying costs.

2. Staff is opposed to including the carrying costs in the deferral at this time; however, if the Commission orders the carrying costs to be deferred, then any recovery of such costs should be determined in the next rate case proceeding.

**WHEREFORE**, Staff prays that the Commission will accept this *Clarification*; issue an order approving Empire's request for an accounting authority order, with the stipulation that

carrying costs not be included in the deferral, however, any ratemaking decisions, including the amount of recovery from customers and any potential Commission-ordered application of carrying costs, be determined in a future general rate or securitization proceeding; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

**/s/ Whitney Payne**

Whitney Payne

Senior Counsel

Missouri Bar No. 64078

Attorney for the Staff of the

Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-8706 (Telephone)

(573) 751-9285 (Fax)

[whitney.payne@psc.mo.gov](mailto:whitney.payne@psc.mo.gov)

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 5th day of November, 2021, to all counsel of record.

**/s/ Whitney Payne**