

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

In the Matter of the Request of The Empire)
District Electric Company and The Empire)
District Gas Company for Waiver of a Dual)
Branding Requirement Regarding the)
Continued Use of the Empire District Name)
for Electric, Gas, and Water Operations)

File No. AO-2020-0184

**ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE,
AND DIRECTING STAFF FILING**

Issue Date: December 27, 2019

Effective Date: December 27, 2019

On December 23, 2019, The Empire District Electric Company and The Empire District Gas Company (collectively “Empire”) filed a motion for waivers. Empire requests that the Commission waive a portion of the Stipulation and Agreement approved by the Commission in File No. EM-2016-0213, authorizing a merger between Liberty Sub Corp. (Liberty) and The Empire District Electric Company. The Stipulation and Agreement requires that The Empire District Electric Company operate under the Empire District brand name for a period of five years following its merger with Liberty. Under Section 6.06(e) of the agreement, Empire would have to operate under the Empire District brand, or co-branding, until January 1, 2022. Empire requests relief from the requirement that it retain the Empire District brand name because Algonquin Power & Utilities Corp., the parent company of both Liberty and Empire, is adopting new branding for its Liberty Utilities businesses.

Empire also requests a waiver of the 60 day notice requirement of Commission Rule 20 CSR 4240-4.017(1), as Empire has had no communication with the Commission within the prior 150 days about any substantive issue in this file.

The Commission will direct notice be given and set a deadline for intervention requests. The Commission will also direct its Staff to file a recommendation on its review of Liberty Utilities' application.

THE COMMISSION ORDERS THAT:

1. Any person or entity wishing to intervene shall file an application to intervene no later than January 30, 2020.
2. The Commission's Staff shall file either a status report or a recommendation about The Empire District Electric Company and The Empire District Gas Company for waiver of a dual branding requirement no later than January 30, 2020.
3. This order is effective when issued.

BY THE COMMISSION



A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 27th day of December, 2019.