

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 19th day of
September, 2024.

In the Matter of The Empire District Electric)
Company d/b/a Liberty for Authority to File)
Tariffs Increasing Rates for Electric Service)
Provided to Customers in its Missouri)
Service Area)

File No. ER-2024-0261

ORDER GRANTING WAIVER

Issue Date: September 19, 2024

Effective Date: September 19, 2024

On March 25, 2024, The Empire District Electric Company d/b/a Liberty submitted a *Notice of Intended Case Filing*, in compliance with Commission Rule 20 CSR 4240-4.017(1) stating it intended to file a general rate case. Commission Rule 20 CSR 4240-4.017(1) provides, in part, that “[a]ny person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case.” The rule further provides that “[i]f the expected case filing is not made within one hundred eighty (180) days, the noticed case shall close.”

On August 30, 2024, Liberty filed a motion for a waiver of 20 CSR 4240-4.017(1) with regard to the requirement that the file close after 180 days if the subject of the notice has not been filed. Liberty indicates that it may not file its rate case before December 31, 2024 and requests this file remain open through that date to accommodate the filing. Liberty states that keeping this file open will allow its outside counsel to continue to participate in Liberty’s filing without having to refile its entry of appearance *pro hac vice* and pay additional fees to do so. Granting a waiver will also allow Liberty to file its rate

case without needing to file a new 60-day notice and have that delay. No objections to Liberty's motion were filed.

Commission Rule 20 CSR 4240-4.017(1)(D) states that a party may request a waiver of the notice rule for good cause. Liberty has shown good cause in that keeping this file open after 180 days avoids the additional costs of filing a new 60-day notice. Further, the intent of the rule is to give at least 60-days' notice that a filing will be made, and that purpose is still served even if the file remains open past 180 days. Therefore, the Commission will grant the waiver and this file shall remain open until January 1, 2025.

THE COMMISSION ORDERS THAT:

1. Liberty is granted a waiver in this file of the requirement of 20 CSR 4240-4.017(1) that this file close after 180 days if the rate case has not been filed.
2. This file shall remain open until January 1, 2025, or until further order of the Commission.



BY THE COMMISSION

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

Nancy Dippell
Secretary

Hahn, Ch., Coleman, Holsman
Kolkmeier, and Mitchell CC., concur.

Dippell, 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 19th day of September 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 19, 2024

File/Case No. ER-2024-0261

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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.