

**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) Case No. EU-2021-0274

**PUBLIC COUNSEL'S LIST OF ISSUES,
ORDER OF WITNESSES, AND ORDER OF CROSS-EXAMINATION**

The Office of the Public Counsel joins in Staff's order of witnesses, and order of cross-examination, but, because the issues as listed by Staff presuppose that all of the costs that Empire did not include to develop the fuel adjustment clause rates (FARs) in the tariff sheet it filed, as substituted, and which the Commission allowed to take effect by operation of law in Case No. ER-2021-0332 are extraordinary and implies that the Commission authorized their deferral, Public Counsel does not join in its list of issues; instead, its listing of the issues follows:

- 1) Should the Commission authorize Empire to track and defer, beginning February 2021, to a regulatory asset:
 - a) Five percent (5%) of Empire's fuel and purchased power costs from February 2021 that do not flow through Empire's FAC (See Case No. ER-2021-0032);
 - b) Carrying costs on all of Empire's February 2021 fuel and purchased power expenditures that do not flow through Empire's FAC (See Case No. ER-2021-0032);
and
 - c) Empire's other costs specifically related to Winter Storm Uri, including outside legal fees?

Respectfully,

/s/ Nathan Williams

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 20th day of January 2022.

/s/ Nathan Williams