

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 14th day of  
November, 2024.

In the Matter of the Request of The Empire )	
District Electric Company d/b/a Liberty for )	<b><u>File No. ER-2024-0261</u></b>
Authority to File Tariffs Increasing Rates )	Tracking No. JE-2025-0069
for Electric Service Provided to Customers )	
In its Missouri Service Area )	

**ORDER SUSPENDING TARIFF, GIVING NOTICE OF CONTESTED  
CASE STATUS, AND DELEGATING AUTHORITY**

Issue Date: November 14, 2024

Effective Date: November 14, 2024

On November 6, 2024,<sup>1</sup> The Empire District Electric Company d/b/a Liberty (Liberty or “Company”) filed tariff sheets designed to increase its gross annual electric revenues by approximately \$92,136,624 million, or a 15.99% increase over current base rate electric service revenues. According to the Company, for an average residential customer using 1,000 kWh per month, the requested rate change will increase the bill from \$161.09 to \$191.93, or approximately 19.15%. The Company also seeks continuation of its Fuel Adjustment Clause with modifications. The tariff sheets have a proposed effective date of December 6.

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<sup>1</sup> All dates refer to 2024 unless otherwise indicated.

### A. Suspension of Tariff

Section 393.150, RSMo (2016), authorizes the Commission to suspend the effective date of proposed tariffs for 120 days, plus an additional six months to allow for a hearing. To provide sufficient time to determine if Liberty's proposed tariffs are just and reasonable,<sup>2</sup> the Commission will suspend the tariffs for 120 days beyond their effective date. The Commission's experience demonstrates that a full hearing cannot be concluded within 120 days, so the Commission will suspend the tariffs for an additional six months.<sup>3</sup>

### B. Notice of Contested Case

Section 393.150.1, RSMo, allows the suspension of the tariff pending a "full hearing" and decision on the tariff's propriety. Thus, this matter is a "contested case."<sup>4</sup> A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,<sup>5</sup> including by stipulation and agreement.<sup>6</sup> This order and notice does not require any party to file an answer. The Commission also provides notice that its discovery regulations may be found at 20 CSR 4240-2.090.

### C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.<sup>7</sup> To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery.

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<sup>2</sup> Section 393.140(5), RSMo. Unless otherwise noted, all statutory references are to the Revised Statutes of Missouri as codified in 2016.

<sup>3</sup> Section 393.150.2, RSMo.

<sup>4</sup> Section 536.010(4), RSMo.

<sup>5</sup> Section 536.060, RSMo.

<sup>6</sup> 20 CSR 4240-2.115.

<sup>7</sup> Section 386.240, RSMo.

**THE COMMISSION ORDERS THAT:**

1. The proposed tariff sheets, Tracking No. JE-2025-0069, filed by Liberty are suspended for 120 days from December 6, 2024, to April 5, 2025, plus six months thereafter, until October 5, 2025.
2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel, and may make any such ruling at a discovery conference.
3. This order shall be effective when issued.



**BY THE COMMISSION**

*Nancy Dippell*

Nancy Dippell  
Secretary

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

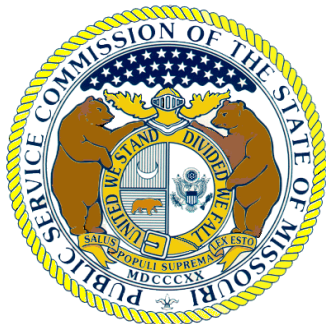
Hatcher, Senior Regulatory Law Judge

**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 14<sup>th</sup> day of November 2024.**



*Nancy Dippell*  
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**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**November 14, 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**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.