

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



Morris L. Woodruff

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.

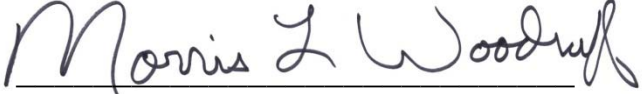
STATE OF MISSOURI

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 27th day of December 2019.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 27, 2019

File/Case No. AO-2020-0184

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@opc.mo.gov

**Empire District Electric
Company, The**

Diana C Carter
428 E. Capitol Avenue, Suite 303
Jefferson City, MO 65101
Diana.Carter@LibertyUtilities.com

**Empire District Gas Company,
The**

Diana C Carter
428 E. Capitol Avenue, Suite 303
Jefferson City, MO 65101
Diana.Carter@LibertyUtilities.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
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.