

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

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

JOINT PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), on behalf of the Parties, respectfully submits as follows:

1. On November 6, 2024, The Empire District Electric Company d/b/a Liberty (“Liberty” or “Company”) filed tariff sheets with the Missouri Public Service Commission (“Commission”) designed to increase its gross annual electric revenues.

Proposed Procedural Schedule

2. Staff requests that the Commission adopt the following procedural schedule:

<u>Item</u>	<u>Date</u>
Filing Date	November 6, 2024
Revenue Requirement Model incorporating Update Information and Final Billing Determinants to be provided by Liberty to All Parties	January 17, 2024
Discovery Conference	January 21, 2025
Discovery Conference	February 13, 2025
Discovery Conference	March 12, 2025
Direct Testimony-Revenue Requirement	April 9 2025
Direct Testimony-Rate Design	April 25, 2025
Technical Conference	April 28, 2025
Local Public Hearing Week	May 12 through 16, 2025
Rebuttal Testimony	May 23, 2025
Settlement Conference	May 29, 2025
Discovery Conference	June 12, 2025
Surrebuttal Testimony	June 23, 2025
Settlement Conference	June 25 through 26, 2025
Cutoff for Discovery, Responses, and Depositions	July 2, 2025
List of Issues, Order of Witnesses, Stipulation of Facts	June 30, 2025
Position Statements	July 2, 2025

Hearing	July 14 through 25, 2025
Initial Briefs	August 14, 2025
Reply Briefs	August 22, 2025
Operation of Law Date	October 5, 2025

Discovery Procedures

3. The Parties request that the Commission adopt the following procedures regarding discovery:

- a. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings where the information is available in electronic format. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- b. Parties shall make all reasonable efforts to not include confidential information in data requests. If confidential information must be included in data requests, the confidential information will be appropriately designated as such pursuant to 20 CSR 4240-2.135.
- c. Data requests issued to or by Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System ("EFIS"), if feasible, or in electronic format on compact disc or by other means agreed to by counsel, if infeasible. Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding Staff-issued data requests, if the description contains confidential information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. Data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party's employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule. Liberty's responses to Staff data requests will be available to other parties on EFIS. In addition, Liberty's responses to all parties' data requests will be available for review on ShareFile for parties who complete the requirements for accessing the ShareFile system.
- d. Until the filing of Rate Design Rebuttal testimony, the response time for all data requests shall be 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. After the filing of Rebuttal testimony (May 23, 2025)

and before the filing of Surrebuttal testimony (June 23, 2025), the response time for data requests shall be 10 calendar days to provide the requested information, and five (5) business days to object or notify that more than 10 calendar days will be needed to provide the requested information. After the filing of Surrebuttal testimony (June 23, 2025), the response time for data requests shall be five (5) business days to provide the requested information, and two(2) business days to object or notify that more than five (5) calendar days will be needed to provide the requested information. Data requests sent after 5:00 pm will be considered served on the next business day. The Commission may rule on discovery motions filed after Surrebuttal testimony is filed without holding the conference required by 20 CSR 4240- 2.090(8)(B).

- e. Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked and comply with the other requirements of rule 20 CSR 4240-2.135(2)(B). Workpapers containing highly confidential information shall be appropriately marked and otherwise comply with the Commission's protective order issued November 5, 2024. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.
- f. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact. Workpapers shall be provided in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.
- g. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.
- h. The Parties request expedited transcripts for the evidentiary hearing, with transcripts to be filed in EFIS no later than August 1, 2025. Without expedited treatment, Parties will have little time to correct issues, if any occur, potentially delaying the post-hearing brief filings.¹ This request is necessary to accommodate the concurrent procedural schedules of several other large rate cases before the Commission.

¹ In ER-2022-0129 and ER-2022-0130, the Parties requested for and was granted a one-week extension to file its post-hearing briefs due to transcript preparation delays, and the press of other Commission business.

In EA-2023-0017, Staff filed for and was granted an extension because part of the transcripts were not delivered until two days before the filings due date.

4. Staff does not oppose Empire's proposal to update its test year through September 30, 2024, and The Office of the Public Counsel agrees to this procedural schedule, conditioned upon the following:

Items to be provided by the Company to parties on December 19, 2024:

- Monthly kWh opt out for applicable rate schedules [Test Year and Update Period]
- Monthly update Period of billing determinants for customer who switched rates [Update Period]
- Monthly transformer ownership and metering adjustments [Test Year and Update Period]
- Customer count of non-AMI data recorders [Test Year and Update Period]
- Monthly net metering kWh [Test Year and Update Period]
- Monthly Community solar availability and subscribed blocks [Test Year and Update Period]
- Preliminary Update Period Billing Determinants and Manual Adjustments in the format provided to Staff via email on December 11, 2024.

Items to be provided by the Company on January 17, 2025:

- Revenue Requirement Model incorporating Update Information and Final Billing Determinants (will also include the additional adjustments for weather, customer annualization and any other needed revenue adjustments)
- Final Adjusted Updated Billing Determinants and Manual Adjustments in format provided to Staff via email on December 11, 2024 [if any changes are necessary from the file provided on December 19, 2024]

WHEREFORE, on behalf of the Parties, Staff respectfully proposes this procedural schedule in compliance with the Commission's December 2, 2024, order.

Respectfully submitted,

/s/ Eric Vandergriff

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all parties and/or counsel of record on this 13th day of December 2025.

/s/ Eric Vandergriff