

**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) File No. ER-2024-0261
for Electric Service Provided to Customers)
In its Missouri Service Area.)

MECG RESPONSE IN SUPPORT OF MOTIONS TO DISMISS

COMES NOW, the Midwest Energy Consumers Group, (“MECG”) and in response to the Commission’s Order asking parties to respond to the Motions to Dismiss filed by OPC and Staff, MECG states:

1. On November 6th, Liberty-Empire filed tariff sheets designed to implement a general rate increase of approximately \$92 million or 15.99% for its electric services.
2. Subsequently, on February 3rd, Liberty-Empire filed new tariff sheets to increase base rate revenues by approximately \$152 million or a 30.10% increase over current electric service revenues to replace the initial sheets filed in this docket.
3. The Office of Public Counsel and the Commission Staff each filed motions to dismiss, and the Commission issued an order seeking responses from parties.
4. MECG has reviewed and compared the rate tariffs filed on Feb. 3rd tariffs to the rate tariffs initially filed on November 6th. The changes contained in the new tariffs are significant and will materially impact the analysis that MECG and other parties must conduct in reviewing the case. These changes amount to, in effect, an entirely new rate case for parties to evaluate. In addition these new tariff sheets were unaccompanied by testimony.

5. Commission Rule 20 CSR 4240-2.130 (7)(A) requires that direct testimony “shall include all testimony and exhibits asserting and explaining that party’s entire case-in-chief.” These new rate tariff sheets are unaccompanied by testimony and should be rejected.

6. Given that Liberty has, seemingly abandoned its prior case, it should be required to support these new tariff sheets and parties should be given the opportunity to evaluate this new rate case filing on a new schedule.

7. For these reasons, MECG supports the motions by the PSC Staff and the Office of Public Counsel to dismiss this case.

WHEREFORE, MECG respectfully requests that the Commission issue its order granting the pending motions to dismiss.

Respectfully,

/s/ Tim Opitz

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ATTORNEY FOR MIDWEST
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 14th day of February 2025:

/s/ Tim Opitz
