

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

In the Matter of Empire District Electric )  
Company d/b/a Liberty (Empire) for )  
Authority to Implement Rate Adjustments ) **File No. ER-2021-0097**  
Related to the Company's Fuel and )  
Purchase Power Adjustment (FAC) )  
Required in 20 CSR 4240-20.090 )

In the Matter of The Empire District )  
Electric Company's Request for Authority )  
to File Tariffs Increasing Rates for Electric ) **File No. ER-2019-0374**  
Service Provided to Customers in its )  
Missouri Service Area )

**ORDER DIRECTING RESPONSES**

Issue Date: November 4, 2020

Effective Date: November 4, 2020

On October 30, 2020, the Commission's Staff filed a recommendation regarding The Empire District Electric Company's (Empire) motion for a variance from the 60-day notice requirement of Commission Rule 20 CSR 4240-20.090(8)(D)1,A, concerning new FAC charge types. Empire also filed an amended motion for variance asking for an additional variance from 60-day notice requirement for new FAC charge types found in its tariff. Empire responded to Staff's recommendation on November 4, 2020, reiterating that it does not believe that these are new charge types.

The Commission will order Public Counsel to respond to Staff's recommendation and Empire's *Amended Motion for Variance and Response to Staff Recommendation*. The Commission will order Empire to answer the question posed by Staff asking for further details of any financial changes to the current FAR filing, and whether allowing the full 60 days to elapse would cause any financial impacts to the current FAR filing, relating to the consolidation of the charge types.

**THE COMMISSION ORDERS THAT:**

1. No later than November 6, 2020, Public Counsel shall file a response to Staff's recommendation and Empire's *Amended Motion for Variance and Response to Staff Recommendation*.
2. No later than November 6, 2020, Empire shall file a response detailing any financial changes to the current FAR filing, and whether allowing the full 60 days to elapse would cause any financial impacts to the current FAR filing, relating to the consolidation of the charge types.
3. This order is effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "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 4<sup>th</sup> day of November, 2020.