

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 9th day of
March, 2022.

In the Matter of the Petition of The Empire)
District Electric Company d/b/a Liberty to)
Obtain a Financing Order that Authorizes)
the Issuance of Securitized Utility Tariff)
Bonds for Qualified Extraordinary Costs)

File No. EO-2022-0040

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: March 9, 2022

Effective Date: March 9, 2022

On January 19, 2022, The Empire District Electric Company d/b/a Liberty, applied for a financing order to allow it to issue securitized utility tariff bonds pursuant to Section 393.1700, RSMo, for extraordinary costs related to Winter Storm Uri. The parties submitted an amended proposed procedural schedule on March 2, 2022.¹

The proposed procedural schedule includes dates for Liberty to file a petition and direct testimony regarding a proposal to issue securitized utility tariff bonds for extraordinary costs related to the retirement of the Asbury generating plant.² The proposed procedural schedule also indicates Liberty's intent to file a motion to consolidate the Asbury case into the Winter Storm Uri case for a single hearing. In establishing the schedule requested by the parties, the Commission is not making a ruling on the yet-to-be-filed motion to consolidate the two cases.

The Commission will adopt the parties' proposed procedural schedule, except that the hearing transcript will be expedited and the briefing schedule will be modified.

¹ A proposed procedural schedule submitted by the parties on February 22, 2022, conflicted with the Commission's schedule.

² A notice of intent to file that application was filed in File No. EO-2022-0193 on January 20, 2022.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

- | | | |
|---|---|--|
| Petition and Company Direct (Asbury) | - | March 21, 2022 |
| Response time for data requests changes to 10 calendar days to respond and 5 calendar days to object or notify of the need for additional time to respond (deadlines do not roll forward to next business day) | - | March 22, 2022 |
| Response time for data requests changes to 7 calendar days to respond and 3 calendar days to object or notify of the need for additional time to respond (deadlines do not roll forward to next business day) | - | April 22, 2022 |
| Motion to Consolidate Winter Storm Uri and Asbury Cases | - | April 25, 2022 |
| Rebuttal Testimony | - | May 13, 2022 |
| Surrebuttal Testimony | - | May 27, 2022 |
| List of Issues, Order of Witnesses, Order of Cross Examination | - | June 2, 2022 |
| Discovery Cutoff (Last day to serve DRs or hold depositions) | - | June 3, 2022 |
| Statements of Position | - | June 6, 2022 |
| Evidentiary Hearing | - | June 13 - 17, 2022, beginning each day at 8:30 a.m. |
| Transcripts Due | - | June 22, 2022 |
| Initial Briefs | - | July 13, 2022 |
| Reply Briefs | - | July 20, 2022 |
| Financing Order Deadline | - | August 22, 2022 |

2. The parties shall comply with the following procedures:
 - (a) All parties must comply with the requirements of Commission Rule 20 CSR 4240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.
 - (b) Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.
 - (c) Each party shall file a simple and concise statement summarizing its position on each disputed issue, including citations to pre-filed testimony supporting its position.
 - (d) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.
 - (e) If testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit. If not prefiled and served

upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each other party.

- (f) Data requests and other discovery served on a non-business day, or after 5:00 p.m. on a business day, shall be deemed served on the following business day.

3. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

- 4. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier CC., concur.

Woodruff, Chief 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 9th day of March, 2022.**





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 9, 2022

File/Case No. EO-2022-0040

**Missouri Public Service
Commission**

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Commission**

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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.