

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

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

LIBERTY’S MOTION TO WITHDRAW DIRECT TESTIMONY

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”), and for its *Motion to Withdraw Direct Testimony*, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. On November 6, 2024, Liberty submitted proposed tariff sheets (Tracking No. JE-2025-0069) and supporting direct testimony of 20 witnesses in the above-captioned matter.
2. Liberty re-reviewed its direct testimony confidentiality designations in response to an Office of Public Counsel (“OPC”) motion and the Commission’s *Order Granting Motion Regarding Information Designated as Confidential*, and on December 20, 2024, resubmitted the direct testimonies of five witnesses — Shawn Eck, Candice Kelly, Leigha Palumbo, Todd Tarter and Jeffrey Westfall.
3. On January 30, 2025, OPC notified Liberty via email that it believed there was an error in Liberty’s tariff sheets.
4. After determining there was a technical error in certain tariff sheets, on February 3, 2025, those certain tariff sheets were substituted in Tracking No. JE-2025-0069.
5. On February 5, 2025, OPC and Commission Staff filed motions to dismiss Liberty’s general rate case increase application.
6. In order to address OPC and Staff’s concerns about the timeframe for the parties’ review of the substituted tariff sheets and the general rate increase application, on February 26,

2025, Liberty withdrew all tariff sheets submitted in Tracking No. JE-2025-0069 and submitted a new complete set of tariff sheets in Tracking No. JE-2025-0127. The Company also filed supporting direct testimony to support its new complete set of tariff sheets submitted under Tracking No. JE-2025-0127 on February 26, 2025.

7. In order for the record to be clear in this proceeding and avoid confusion that could be created by having multiple sets of direct testimony, the Company requests that its direct testimony filed on November 6, 2024 be withdrawn, and its resubmitted direct testimony of Shawn Eck, Candice Kelly, Leigha Palumbo, Todd Tarter and Jeffrey Westfall filed on December 20, 2024 be withdrawn.

WHEREFORE, Liberty respectfully requests the Commission grant this *Motion to Withdraw Direct Testimony* and direct the Commission's Date Center to indicate that EFIS items 11-30 and 62-66 are withdrawn from this docket. Liberty requests such additional relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527
428 E. Capitol Ave., Suite 303
Jefferson City, Missouri 65101
Joplin Office Phone: (417) 626-5976
Cell Phone: (573) 289-1961
E-Mail: Diana.Carter@LibertyUtilities.com

Jermaine Grubbs MBE #68970
602 S. Joplin Ave.
Joplin, Missouri 64801
Cell Phone: (417) 317-9024
E-Mail: Jermaine.Grubbs@LibertyUtilities.com

Monica H. Braun, KBA No. 93058
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, KY 40507

(859) 231-3000
monica.braun@skofirm.com

ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY d/b/a LIBERTY

CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 26th day of February, 2025, with notification of the same being sent to all counsel of record, and I further certify that the above document was sent by electronic transmission to all counsel of record.

/s/ Diana C. Carter