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BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

PROCEDURAL CONFERENCE

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

MONDAY, FEBRUARY 24, 2025  
9:00 a.m.

Jefferson City, MO  
via WebEx

VOLUME I

CHARLES HATCHER, Presiding  
SENIOR REGULATORY  
LAW JUDGE

TRANSCRIBED BY: MELISSA EICKEN

1 LAW JUDGE HATCHER: Let's go on the record.  
2 Today is February 24th, 2025. The Commission has set  
3 this time for a prehearing conference or procedural  
4 conference. I routinely mix up those two terms, for  
5 File Number ER-2024-0261.

6 I would like to let the parties know there  
7 is no court reporter, but this procedural conference  
8 is being recorded for potential transcription later.

9 This conference is being held solely by  
10 Internet via the Webex app.

11 My name is Charles Hatcher, and I'm the  
12 regulatory law judge assigned to this case. Let's go  
13 ahead and have counsel for the parties make their  
14 entries of appearance. For Liberty.

15 MS. CARTER: Good morning, Judge. Diana  
16 Carter, Jermaine Grubbs and Lindsey Ingram for  
17 Liberty.

18 LAW JUDGE HATCHER: Okay. Thank you. And  
19 for staff.

20 MS. CARTER: Thank you.

21 MR. VANDERGRIFF: For staff, Eric  
22 Vandergriff.

23 MR. JOHNSON: And Mark Johnson. Are you  
24 guys able to hear us okay? Okay.

25 LAW JUDGE HATCHER: And thank you. The

1 Office of the Public Counsel.

2 MR. WILLIAMS: Nathan Williams.

3 LAW JUDGE HATCHER: Thank you, sir. For  
4 MECG.

5 MR. OPITZ: Good morning. Tim Opitz for  
6 MECG.

7 LAW JUDGE HATCHER: Thank you. For -- and  
8 EDRA, Empire District Retired Members & Spouses  
9 Association.

10 MR. JARRETT: Good morning. Terry Jarrett  
11 from Healy Law Offices for the Empire Retirees.

12 LAW JUDGE HATCHER: Thank you. And for  
13 Renew Missouri.

14 MS. MERS: Nicole Mers with Renew Missouri.

15 LAW JUDGE HATCHER: And for IBEW Local  
16 1474. If you're on a phone, it is star 6 to unmute.

17 Okay. Those are all the parties that I  
18 have respond. Are there any other parties with --  
19 that would like to make their entry of appearance?  
20 Okay. Let's move forward. Hearing none.

21 I would like to start our procedural  
22 conference with the statement that I do not speak for  
23 the commissioners. I also do not wish to give legal  
24 advice. So with that, I would like to start our  
25 conference by asking Liberty a question. What harm

1 would there be to Liberty if they voluntarily extended  
2 the tariff timeline or -- well, let's start with that  
3 question. What harm would there be if Liberty  
4 voluntarily extended the tariff timeline? Other  
5 parties, I will be asking you the same question in  
6 just a second. Ms. Carter, go ahead.

7 MS. CARTER: Thanks, Judge. Are you asking  
8 from the perspective of if we'd agree or just strictly  
9 what the consequences would be?

10 LAW JUDGE HATCHER: Just the consequences.

11 MS. CARTER: Okay. So any delay is  
12 creating additional regulatory lag, and that would be  
13 the same whether it be a new filing with a new clock  
14 or extending the date on the existing filed tariff  
15 sheets. There's an additional wrinkle that we see  
16 with extending the date on the tariff sheets as  
17 opposed to refiling and starting a new clock.  
18 Technically, once you extend the date on the tariff  
19 sheets, there is no longer a clock. Certainly, not  
20 implying that the Commission would just sit on the  
21 case forever, but it's -- it's my understanding that  
22 technically once a utility voluntarily extends beyond  
23 the 11-month statutory deadline, then there's no  
24 longer a clock operating out there by which the  
25 Commission would have to act.

1           LAW JUDGE HATCHER: Do you have a citation  
2 for that?

3           MS. CARTER: No. I do not, Judge, and I'm  
4 not sure -- I'm not sure if one exists to be honest.  
5 Just -- it's the opposite. You have a clock by  
6 statute, when it's the 11 months, and there is case  
7 law, and I can get you a statute for that, that  
8 without a statutory deadline, the Commission is not  
9 under a strict obligation to act by a certain date.  
10 But I don't have that offhand.

11           LAW JUDGE HATCHER: Okay. And you're  
12 stating that if you refile the tariffs under a new  
13 tariff number -- okay. Let's -- we're here now.  
14 Let's delve into that just a little bit. So my  
15 reading would be if you refiled under a new tariff  
16 number, the statute doesn't differentiate between what  
17 case. It says when a tariff sheet is filed.

18           MS. CARTER: Uh-huh.

19           LAW JUDGE HATCHER: So that would enable  
20 the Commission to then suspend it for 11 months under  
21 the statutory deadline. That seems to contradict what  
22 you just said.

23           MS. CARTER: No. That, I agree a hundred  
24 percent. Liberty agrees with what you just said  
25 there, Judge, a hundred percent. If we were to refile

1 the tariffs in the same case still, what the company  
2 proposed in their response, if we refile, the  
3 Commission, then, may suspend by statute for 11  
4 months. That is --

5 LAW JUDGE HATCHER: Okay.

6 MS. CARTER: -- different from what we  
7 voluntarily extend the effective date of the existing  
8 tariff sheets that are on file.

9 LAW JUDGE HATCHER: Okay. Then back to our  
10 original question, you listed the regulatory lag. Is  
11 there any other harm to Liberty by extending the  
12 tariff deadline?

13 MS. CARTER: No, Judge. Just everything  
14 that comes with regulatory lag, and we all know all  
15 those things that come with regulatory lag.  
16 Certainly, the company filed its case when it knew it  
17 was needing a rate increase in order to keep just and  
18 reasonable rates, you know, with the understanding  
19 that would take effect approximately 11 months after  
20 filing. So any additional delay is delaying the  
21 imposition of just and reasonable rates based on cost  
22 of service.

23 LAW JUDGE HATCHER: Okay. Thank you.  
24 Let's move to staff. What harm do you see if Liberty  
25 voluntarily extended their -- their tariff or if they

1 refiled under a new tariff deadline to achieve the  
2 same extension?

3 MR. VANDERGRIFF: Good morning, Judge. We  
4 believe that the harm is similar to what Liberty said  
5 for themselves, but as far as harm, it would help us  
6 if it got delayed, so.

7 LAW JUDGE HATCHER: Okay. Let's move to  
8 Office of Public Counsel.

9 MR. WILLIAMS: Judge, we don't disagree  
10 that there would be some regulatory lag impacts, but  
11 Liberty had riders including its fuel adjustment  
12 clause which basically it ameliorates regulatory lag  
13 impacts, and those impacts are not necessarily bad.  
14 They can be reductions in costs, too. It just depends  
15 on what is happening, if you have inflationary  
16 pressures, and of course, they go up. Also, I don't  
17 agree with Liberty about extending tariff dates,  
18 because if you look at the statute, it says that the  
19 Commission has the right to suspend tariffs for 120  
20 days plus an additional six months, and tariff sheets  
21 need to have -- let's see -- not taken in -- not going  
22 to effect earlier than 30 days before when they're  
23 filed. But that doesn't limit when a utility may file  
24 a tariff sheet with a longer effective date. So don't  
25 agree with what Diana has said entirely.

1 LAW JUDGE HATCHER: Okay.

2 MR. WILLIAMS: We also think, although,  
3 it's not -- well, it's been raised in the reply a bit.  
4 There may be some notice issues with regard to the  
5 case that has been filed.

6 LAW JUDGE HATCHER: Yeah. I don't want to  
7 talk about your reply, Mr. Williams. None of the  
8 other parties have had a chance to respond to that  
9 yet. So everyone else is at a little bit of a  
10 disadvantage here. So let's -- let's just keep it to  
11 the motions to dismiss as originally filed and  
12 Liberty's response, as far as the topic that we're  
13 discussing today. But I appreciate your input.

14 Let's move to MECG, same question. What  
15 harm do you see by extending the tariff deadline?

16 MR. OPITZ: I think from the harm to MECG  
17 would be the ability to have the time to review the  
18 new February tariff filings, and I guess, you know, I  
19 have no reason to believe that the company's harm  
20 would be regulatory lag or financial -- no reason to  
21 dispute their belief that, so. That's basically it.

22 LAW JUDGE HATCHER: Okay. Thank you.  
23 Let's move to the retired members. Mr. Jarrett.

24 MR. JARRETT: EDRA doesn't really take any  
25 position in this. None of these issues really relate



1 to -- to their issues.

2 LAW JUDGE HATCHER: Okay. And for Renew  
3 Missouri.

4 MS. MERS: Yeah. For Renew, I think I'm  
5 going with what MEGG and staff has said. I think that  
6 without other procedural steps, that parties would  
7 lose a little bit of time reviewing the -- the new  
8 tariff filings and the supporting changes for that, I  
9 also think that there could be parties out there that  
10 aren't here that may be the difference between the --  
11 the 92 and the 160 would make a difference on if they  
12 would want to intervene, but I do believe that there's  
13 probably some steps that could be taken to extend the  
14 tariff, but then fix those issues where everybody kind  
15 of gets what they want in the end.

16 LAW JUDGE HATCHER: Okay. Thank you. And  
17 I'll call one last time for Local 1474 just to see if  
18 they have joined us.

19 MR. HOWELL: Yes, Your Honor. I was -- I  
20 was having technical difficulties. But I am here, and  
21 Garrison Howell for Local 1474. Similar to EDRA, we  
22 don't have a position here. Just kind of monitoring  
23 the proceedings for now.

24 LAW JUDGE HATCHER: Absolutely. Thank you  
25 very much. And on that note, just one last call, are

1 there any other parties that would like to respond  
2 that I did not call that might have joined the call or  
3 conference a little bit late? Okay. Hearing none.

4 We've -- we've discussed a little bit about  
5 the difference between Liberty voluntarily extending  
6 the deadline on their currently filed tariffs versus  
7 refiling with a new tariff number. Let's move to the  
8 dismissal. What harm would befall Liberty if the case  
9 was dismissed and Liberty would have to refile its  
10 case in its entirety? Ms. Carter.

11 MS. CARTER: Thanks, Judge. Certainly, the  
12 regulatory lag issue would still be there, only  
13 creating even more regulatory lag. Our -- Charlotte  
14 Emory and her team are regulatory folks like to plan  
15 on nine months, basically, to prepare a rate case  
16 properly. So we're talking quite a bit of additional  
17 time, if they are needing to file an entire --  
18 prepare -- so we can file an entire new case.

19 We also have a wrinkle with the fuel  
20 adjustment clause for Liberty. By statute, we need a  
21 case on file where new rates would take effect by  
22 June 1st of 2026, and that would mean a May rate case  
23 filing. And based on the fact that it normally takes  
24 about nine months to properly prepare a rate case, May  
25 would mean the company would be forced, basically, to

1 throw a case together and get it on file and that -- I  
2 don't know if you want to say harm, but that certainly  
3 does not help anyone. We have a good case on file.  
4 We would -- if it were dismissed, and we were having  
5 to start over, the case won't be as well done in order  
6 to get it on file by May, if that's even possible.  
7 Also, there have been more than 400 data requests  
8 served in this case and all that work from the  
9 company, staff, OPC, we've had more than 40 data  
10 requests -- additional data requests served since the  
11 motion to dismiss were filed. The parties have --  
12 have put a lot of work in and all of that would then  
13 have to be duplicated if we start over with a new  
14 case.

15 LAW JUDGE HATCHER: Okay. Thank you. For  
16 staff.

17 MR. VANDERGRIFF: Your Honor, the harm for  
18 staff is administrative efficiency, as Liberty  
19 previously stated. We have filed a lot of data  
20 requests up and to this point. We still agree with  
21 having more time because we haven't gotten full access  
22 to all of our data requests at this period of time and  
23 a full dismissal may complicate this situation even  
24 worse, but the idea is that we get the better case,  
25 and we don't have all the information we need for our

1 case today.

2 MR. JOHNSON: And I may just add, just --  
3 just for clarity sake, should the case be dismissed  
4 and an entirely new case be filed by Empire, of  
5 course, we would need to do entirely new discovery.  
6 This would -- would -- what Mr. Vandergriff stated is  
7 in relation to if the case were dismissed and Empire  
8 were to turn around and file the identical case, it  
9 would result in parties having to recreate all the  
10 discovery that's already -- already (inaudible)  
11 requested.

12 LAW JUDGE HATCHER: Okay. Thank you. And  
13 Mr. Williams, for Public Counsel.

14 MR. WILLIAMS: I don't think I agree  
15 with -- entirely what Diana related about the impact  
16 of a fuel adjustment clause. I think if you look at  
17 the statute, it said in the case in the adjustment  
18 mechanism submitted under Subsections 1 and 2 of this  
19 section, it includes provisions requiring that the  
20 utility file a general rate case with the effective  
21 date of new rates to be no later than four years after  
22 the effective date of the Commission order  
23 implementing the adjustment mechanism, so that would  
24 be the order approving the compliance tariff sheets  
25 would start the four-year clock, and I believe the

1 Commission's already addressed it in the past saying  
2 that as long as the tariff sheets do implement the  
3 fuel adjustment clause, we're -- the effective date of  
4 what the utility files only need be four years within  
5 that -- within four years of that date.

6           And in terms of impacts, of course,  
7 whatever responses we've gotten to discovery and the  
8 current case could be used in the future case.  
9 They're just admissions. And if the -- if there's a  
10 new case filed, it has a -- say, a different test  
11 year, there just be new requests -- probably -- well,  
12 updates, essentially, to the existing ones based on  
13 the new information. It shouldn't require totally  
14 recreating everything from zero -- well, that would  
15 depend on what the request is and what the utility has  
16 done.

17           Practically, I don't see a real -- from my  
18 perspective, I don't see a huge difference between  
19 whether somehow this case is extended or a new one is  
20 filed, and you keep talking about on the existing  
21 tariff sheets. I don't know exactly what you mean.  
22 Are you talking about the originally filed ones or are  
23 you talking about as substituted or -- that's unclear  
24 to me. And I think that does make a difference.

25           LAW JUDGE HATCHER: When I talk about the

1 filed ones, I'm lumping them all together, the  
2 November and the February filings. Those are the  
3 current -- currently file -- yeah. You're right. I  
4 don't --

5 MR. WILLIAMS: They're not consistent.

6 LAW JUDGE HATCHER: Be that as it may, I'm  
7 lumping them together. Thank you.

8 MR. WILLIAMS: All right. Thank you.

9 LAW JUDGE HATCHER: For MECG, Mr. Opitz.

10 MR. OPITZ: Thank you, Your Honor. I don't  
11 think we have, you know, a -- if they -- if they  
12 withdraw and refile, you know, counsel for OPC  
13 mentioned it, there may be some test year impacts, and  
14 I'm not sure that, that we've -- MECG has come to a  
15 position on -- on, you know, what that might be, if  
16 the case is withdrawn and refiled. But it is  
17 something that, you know, I've thought about. I -- I  
18 just -- from my perspective, as long as we're getting  
19 additional time, I think whatever the test year might  
20 be is something we can argue about and litigate within  
21 the case is -- is kind of what I think. I mean, if  
22 people want updated -- so long as the company is  
23 willing to, during the pendency of the case, provide  
24 those updated figures to the parties who are wanting  
25 an updated test year, you know, I think extending

1 the -- the current case should give parties the  
2 opportunity to satisfy their -- their legal and fact  
3 arguments.

4 LAW JUDGE HATCHER: Okay. Thank you. And  
5 Mr. Jarrett.

6 MR. JARRETT: Yeah. I would -- I would  
7 agree with what MECG said there, really, as long as  
8 the parties have the time. Certainly, EDRA, again,  
9 doesn't take any position, but. Seems like if  
10 everybody has the -- the time, then everything else  
11 can be sort of litigated in the case.

12 LAW JUDGE HATCHER: Thank you. And Ms.  
13 Mers.

14 MS. MERS: Yeah. I -- I agree with what  
15 staff said. I think that there's an administrative  
16 efficiency in allowing some of the -- the work that's  
17 been done in this case to continue. Obviously, the --  
18 the tariffs will change the numbers, but. There are  
19 some policy and -- and some non-revenue requirement  
20 issues that Liberty has raised in its case that  
21 parties have looked at that won't necessarily need to  
22 be tossed out, so. I think that it does, to me, seem  
23 simpler to give parties extra time to -- to look at  
24 the -- the new changes and move from within the  
25 existing paradigm, but maybe an opportunity to allow

1 parties that might not have intervened or had the  
2 notice the first time around to -- to go forth but  
3 starting from scratch doesn't seem like it really  
4 helps everybody too much.

5 LAW JUDGE HATCHER: Thank you. And for  
6 Local 1474.

7 MR. HOWELL: I would concur with EDRA and  
8 MECG.

9 LAW JUDGE HATCHER: Thank you, Mr. Howell.  
10 I think my next point is more of a  
11 statement on -- on my part, and then we'll kind of go  
12 from there to discuss that. The commissioners would  
13 like to address these motions at this week's agenda.  
14 I see three or four options, and the first one would  
15 be either Liberty voluntarily extends the tariff  
16 effective dates or refiles the tariffs under a new  
17 tariff number. That would keep the current rate case  
18 in place and also would keep all of the current  
19 discovery and testimony in place. But that would mean  
20 extending out the deadline by what I would guess would  
21 be approximately two months. That would be kind of  
22 what the options I -- I see available to the  
23 commissioners.

24 The second would be that the commissioners  
25 reject the tariffs outright. That would be dismissal



1 of the case and that would require Liberty to refile  
2 and that would start the clock over again, but it  
3 would also, as everyone has pointed out, restart all  
4 of the work that has gone into this case, both on  
5 behalf of the parties, on behalf of the Commission,  
6 and on behalf of -- of Liberty.

7 Another option would be -- and I think this  
8 one might fall a little bit under -- if Liberty  
9 voluntarily extends the date by one of the two  
10 methods, that the Commission redoes the procedural  
11 schedule somehow. I can see some possibilities being  
12 re-opening the intervention period and issuing a new  
13 notice and allowance for parties to intervene with the  
14 updated numbers. That might mean moving back some  
15 aspects of the procedural schedule, things like  
16 deadlines or the date for the evidentiary hearing and  
17 other things involved with that.

18 A fourth option would be that we move  
19 forward with things that -- with the way that things  
20 are, that would risk going to agenda this week and  
21 finding out what the commissioners have to say, and  
22 then if they don't take any action, then we would move  
23 forward with the tariffs the way that they are. So  
24 all of that kind of thrown out there, let's go through  
25 the party list again.

1                   **Liberty, do you have any comments on those**  
2 **options?**

3                   MS. CARTER: Yes, Judge. Although, from  
4 Liberty's standpoint, it would be acceptable, your  
5 four option to move forward, just as is in, that it  
6 was more of a simple error of how we presented the  
7 numbers. I would like to make it clear. Liberty  
8 consents to -- does not oppose options -- well,  
9 everything but option two. We oppose the reject,  
10 slash, dismiss, but Liberty has proposed and continues  
11 to agree.

12                   LAW JUDGE HATCHER: Nope. Nope. Nope. I  
13 do not want to talk about your settlement offers.

14                   MS. CARTER: Oh. Oh. Okay.

15                   LAW JUDGE HATCHER: Those are covered by  
16 rule that we do not discuss those at all, and there's  
17 a pending motion for sanctions about those. I do not  
18 want to hear about what you have offered to other  
19 parties. I have a follow-up question for you, though.  
20 If you don't oppose or you agree to do this, how come  
21 it hasn't been done yet? How come has Liberty not  
22 refiled its tariff under a new tariff sheet? How come  
23 Liberty -- alternatively, how come Liberty has not  
24 voluntarily extended the effective date?

25                   MS. CARTER: Judge, I'm not sure how to

1 answer that without being able to say what has  
2 transpired. One -- I am not sure how to handle that  
3 without being able to say what has transpired.

4 LAW JUDGE HATCHER: Okay.

5 MS. CARTER: It hasn't happened yet because  
6 we didn't -- we didn't have agreement of the parties.  
7 Liberty -- as I was starting to say, Liberty does not  
8 oppose a new procedural schedule exactly as you  
9 outlined to allow for a new intervention period and a  
10 new notice to be issued. Liberty has no opposition to  
11 that. We very much appreciate that OPC raised the  
12 issue about our tariff sheets being -- excuse me,  
13 being in error. That was appreciated. We attempted  
14 to fix it through the substitute filing to address  
15 staff's concerns and OPC's concerns and the other  
16 parties' concerns. We do not object to amending the  
17 procedural schedule to allow more time, again, both  
18 for intervention and new notice and also for all the  
19 parties to have additional time to review the revised  
20 tariff sheets.

21 LAW JUDGE HATCHER: But without Liberty  
22 taking some proactive steps, what will happen is, we  
23 will get to Thursday on agenda, and the commissioners  
24 will take up motion to dismiss, and there will be  
25 nothing from Liberty, just the response stating that

1 we made a mistake, and we believe that these are just  
2 corrective, so. My -- my question is, I -- I hear you  
3 agreeing to it, but there hasn't been a motion filed  
4 for the commissioners to actually take that up or take  
5 it into consideration.

6 MS. CARTER: And Judge, the parties were  
7 all working together toward a joint filing, and -- and  
8 then that -- we were not able to make that joint  
9 filing to do -- to do just what you said, so we're --

10 LAW JUDGE HATCHER: Why do you need a joint  
11 filing?

12 MS. CARTER: I -- as far as the time and  
13 the delay, Judge, and the regulatory lag that we've  
14 been speaking of, from Liberty's standpoint, if we  
15 were to have done that completely on our own without  
16 agreement of the parties and without a Commission  
17 order to do so, that this fight -- that this exact  
18 same fight would be starting in the new -- with the  
19 new filing, and we'd be going through this process  
20 again. It -- we did think about doing it on our own.  
21 We were -- you know, depending on the timing, February  
22 28th was the day we were looking at to -- to refile.  
23 Very much appreciate that you and the commissioners  
24 are very expedient on this and willing to take it up  
25 so quickly.

1 Missouri is unusual in that regard. Most  
2 commissions take a lot longer but, yes, that --  
3 Liberty was looking at February 28th as kind of our  
4 drop dead date that if we didn't have agreement of the  
5 parties or an order from the Commission then -- then  
6 we would potentially just do it on our own, but we  
7 were trying to avoid just doing it on our own without  
8 knowing if everybody agreed or if that's what the  
9 Commission wanted.

10 LAW JUDGE HATCHER: I would highly  
11 encourage you to move your deadline forward because  
12 your deadline for acting on your own will be after the  
13 Commission's agenda when they take up the motions to  
14 dismiss. And that seems like a very big risk to take,  
15 but that's your call. I don't want to give legal  
16 advice. Let's move on --

17 MS. CARTER: Not taking it as legal --

18 LAW JUDGE HATCHER: No. Go ahead.

19 MS. CARTER: Thank you, Judge. Oh, no. I  
20 was saying not taking it as legal advice but  
21 appreciate the direction. So thank you.

22 LAW JUDGE HATCHER: For staff,  
23 Mr. Vandergriff, do you have any comments on the  
24 options that I listed? And I can relist them if you  
25 need.

1 MR. VANDERGRIFF: Thank you, Your Honor.  
2 Staff opposes the fourth option. We are okay with  
3 moving forward with the third, if that's the one that  
4 listed the procedural schedule, Commission notice, and  
5 a new intervention period. The reason why we can't  
6 support the other option is for the same reasons we  
7 mentioned in our -- our motion for dismiss.

8 LAW JUDGE HATCHER: Would you -- no.  
9 That -- thank you. I appreciate your comments.

10 MR. VANDERGRIFF: Thank you, Your Honor.

11 LAW JUDGE HATCHER: Mr. Williams, for  
12 Public Counsel.

13 MR. WILLIAMS: Well, of course, Commission  
14 can do whatever it likes, but our position is as set  
15 forth in our motion to dismiss that the case should be  
16 dismissed and Liberty should file whatever it thinks  
17 is appropriate if -- for a new general rate case, if  
18 that's what it wants to pursue. Clearly, I think that  
19 would be the cleanest thing to do all the way around,  
20 and as to data request responses, I think whatever has  
21 been provided already certainly can be used in a new  
22 case. I mean, it's -- like I said before and  
23 mentioned by the utility is to information that's  
24 provided, so. At least their responses to request.

25 LAW JUDGE HATCHER: Okay. Thank you.

1 Mr. Opitz.

2 MR. OPITZ: I think the only one we're  
3 strongly opposed to is option four, moving forward  
4 with the uncertainty. Just to add in on -- on the  
5 other options, you know, I think I would -- I think it  
6 would be a good idea if the company were to agree to  
7 provide some updated information with respect to a  
8 true-up period, understanding they may want to keep  
9 their filed case, but you know, to the extent that,  
10 that there is some agreement there to provide  
11 additional information as the case moves forward, I  
12 think that would be helpful to all parties.

13 LAW JUDGE HATCHER: Thank you. And  
14 Mr. Jarrett.

15 MR. JARRETT: Yep. Yes. I -- Judge, I  
16 think you've laid out the -- the options  
17 appropriately, and EDRA takes no position on them.

18 LAW JUDGE HATCHER: Thank you very much.  
19 Ms. Mers.

20 MS. MERS: Yeah. I think that option four  
21 would probably also be the -- the only one that we  
22 would kind of take a little concern over, and it also  
23 seems like to be the most likely to be challenged  
24 outside of these kind of proceedings. So I would hate  
25 to see us do a whole case, and then have to fight

1 about it in appeals, but. Otherwise, you know, it  
2 sounds like that the option three that also sounds  
3 like staff supports is the best balancing of all the  
4 parties' concerns of Liberty's and the parties who do  
5 the audits and -- and whatnot. So let's hope for  
6 that.

7 LAW JUDGE HATCHER: Thank you. And  
8 Mr. Howell.

9 MR. HOWELL: The Local does not take a  
10 position at that time, Your Honor.

11 LAW JUDGE HATCHER: Thank you. I  
12 appreciate that. That is really all that I had to  
13 discuss. It seems appropriate just to throw out if  
14 anyone else had any other discussion topics that they  
15 want to bring up, I'll run through our list of  
16 parties.

17 For Liberty, was there anything else that  
18 you would like to discuss today?

19 MS. CARTER: No, Judge. Thank you.

20 LAW JUDGE HATCHER: Thank you.  
21 Mr. Vandergriff.

22 MR. VANDERGRIFF: No, Your Honor.

23 LAW JUDGE HATCHER: Thank you. And  
24 Mr. Williams.

25 MR. WILLIAMS: Not that I haven't already



1 brought up.

2 LAW JUDGE HATCHER: Thank you. Mr. Opitz.

3 MR. OPITZ: No. Thank you, Your Honor.

4 LAW JUDGE HATCHER: Mr. Jarrett.

5 MR. JARRETT: No, Judge. Thanks.

6 LAW JUDGE HATCHER: Thank you. Ms. Mers.

7 MS. MERS: No. Thank you, but I'm glad you

8 brought us all together to kind of give us a -- an

9 insight on to -- on to the case moving forward.

10 LAW JUDGE HATCHER: Thank you. And

11 Mr. Howell.

12 MR. HOWELL: No. Thank you, Your Honor.

13 LAW JUDGE HATCHER: Okay. That really

14 brings us to the end of our procedural conference.

15 Yeah. Thank you, all. Let's go off the record.

16 MS. CARTER: Judge, I'm sorry. Let me --

17 one thing --

18 LAW JUDGE HATCHER: Yeah.

19 MS. CARTER: Did you say the -- the agenda,

20 meaning this week is on Thursday?

21 LAW JUDGE HATCHER: Yes, it is. The 27th.

22 Let me see if I can pull up the time real quick.

23 EMILY WALTHERS: It's noon this week,

24 Judge.

25 LAW JUDGE HATCHER: Oh, it's moved again?

1 I've got noon on Thursday.

2 EMILY WALTHERS: Yes, sir.

3 LAW JUDGE HATCHER: Does -- is that  
4 correct, noon on Thursday?

5 EMILY WALTHERS: Yes.

6 LAW JUDGE HATCHER: Okay.

7 MS. CARTER: Thank you.

8 LAW JUDGE HATCHER: Okay. Then, thank you  
9 all. Let's stop the recording, and as I said, we're  
10 off the record. Have a good day, everyone.

11 (Audio ended.)

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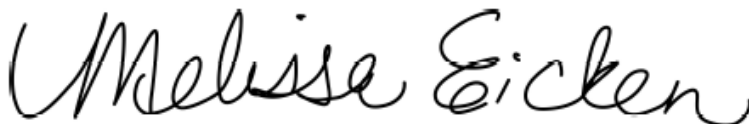
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24 Date: March 10, 2025  
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