

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

In the Matter of The Empire District Electric)	
Company's d/b/a Liberty (Empire))	<u>File No. EU-2021-0274</u>
Fuel Costs Related to the Extraordinary Weather)	
Event of February 2021)	

STAFF RECOMMENDED DATE BY WHICH TO FILE RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Response to Order to File Recommendation* in this matter, hereby states as follows:

1. On February 26, 2021, The Empire District Electric Company d/b/a Liberty (Empire) filed its *Notice* pursuant to 20 CSR 4240-4.017 of an intended case filing. On March 22, 2021, Empire filed a *Motion for Temporary Variance and Partial Waiver and Motion for Expedited Treatment* related to its requirement to file a fuel adjustment rate (FAR) pursuant to its fuel adjustment clause (FAC) tariff sheets, which would require the filing of a FAR by April 1, 2021. The Company requested a variance from the standard 60-day notice requirement of 20 CSR 4240-4.017 and expedited treatment of its request to accommodate the April 1 filing requirement. Empire later withdrew the *Motion* and filed a *Verified Winter Storm Uri AAO Application* on June 2, 2021. The Office of the Public Counsel (OPC) filed a *Motion to Dismiss the Application* on June 28, 2021.

2. Empire currently has a pending rate case before the Commission, Case No. ER-2021-0312. Empire has not established how it anticipates its proposed accounting authority order (AAO) in this proceeding would be treated in the rate case. Empire has also not addressed OPC's *Motion*. Staff will need to meet with the Company and conduct discovery before it will know how long the investigation for this matter will

take and when the resulting Staff recommendation could be filed. Staff instead asks that the Commission order Staff to file a status report no later than July 30, 2021. At that time, Staff hopes to have more information on which to base an anticipated filing date for its recommendation.

WHEREFORE, Staff prays that the Commission will accept this filing; order Staff to file a status report no later than July 30, 2021; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Whitney Payne

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 8th day of July, 2021, to all counsel of record.

/s/ Whitney Payne