

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

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 RESPONSE TO OPC’S MOTION FOR AN ORDER DIRECTING
LIBERTY TO ISSUE A NEW PRESS RELEASE**

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”), and in response to the Motion for an Order Directing Liberty to Issue a New Press Release to Correct its Prior Press Release (“Motion”) filed on March 20, 2025, by the Office of the Public Counsel (“OPC”) and the *Order Directing Responses* issued March 20, 2025, Liberty respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. As part of any rate case filing, the public utility submitting the rate case is required by Rule 20 CSR 4240-3.030(3)(B)6 to include “[c]opies of any press releases relative to the filing issued by the company or utility prior to or at the time of the filing.” On February 26, 2025, when the Company refiled its rate case, it included with its filing a press release stating the impact on customer rates net of the rebasing of fuel costs. The Company later posted the information on its website but did not issue the press release. In its Motion, OPC states that it does not agree with the presentation of the proposed customer increase in the press release and asks that the Commission order the Company to issue a new press release which reflects OPC’s view of the stated rate increase.

2. OPC’s concern about the February 26 press release – which to date has only been posted to Liberty’s website – is that it states that:

If approved by regulators, the net bill impact as proposed by Liberty could cost the average Liberty Missouri residential electric customer using 1,000 kilowatt-hours of usage per month between \$33 and \$39 per month.

OPC argues that the form of the “press release” on Liberty’s website should rather state the following as “more accurate,” which was in Liberty’s proposed notice to be used for the purpose of local public hearings:

For a residential customer using 1,000 kilowatt-hours of electricity a month, Liberty’s proposed increase is approximately \$47.41 each month, or 31.05% percent.

See Schedules LP-2 (press release form) and LP-3 (exemplar LPH notice) attached as Exhibits A and B. The difference between the two iterations is that one reflects the projected net bill impact and is accompanied by an explanation that the actual bill impact may vary based on fluctuations in fuel prices, with the FAC going up or down depending on actual fuel costs compared to the level included in general base rates; and the other reflects the gross amount of the increase, with no reflection for the proposed rebasing of the FAC.

3. While the Company believes that it is within its discretion¹ to state on its website the net amount of the increase, and that providing a further version of the form of a press release to the Commission is not necessary, the Company will respectfully respond as the Commission determines appropriate.

WHEREFORE, Liberty respectfully submits this Response to OPC’s Motion for an Order Directing Liberty to Issue a New Press Release and requests such relief as is just and proper under the circumstances.

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

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¹ See *State ex rel. Harline v. Pub. Serv. Comm'n of Mo.*, 343 S.W.2d 177, 181-182 (Mo. App. 1960); see also *State ex rel. Laclede Gas Co. v. Pub. Serv. Comm'n*, 600 S.W.2d 222, 228 (Mo. App. W.D. 1980).

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 28th day of March, 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