

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 10th day of  
April, 2025.

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

**ORDER SETTING UPDATED PROCEDURAL SCHEDULE AND  
ASSIGNMENT OF EXHIBIT NUMBERS**

Issue Date: April 10, 2025

Effective Date: April 10, 2025

On November 6, 2024, The Empire District Electric Company d/b/a Liberty (Liberty or “Company”) filed tariff sheets designed to increase its gross annual electric revenues. The Commission suspended the tariff sheets, and ordered an operation of law date of October 5, 2025. On December 20, 2024, the Commission set a procedural schedule.

On February 26, Liberty withdrew all of its submitted tariff sheets, and filed a new set of tariff sheets. Also on February 26, Liberty submitted new prefiled direct testimony along with a motion requesting withdrawal of all of its previously filed prefiled direct testimony. Subsequently, the Commission suspended the tariff sheets, set a new operation of law date of January 2, 2026, and ordered the parties to submit an updated procedural schedule.

On April 7, 2025, the Office of the Public Counsel (OPC) submitted *Public Counsel’s Response to Order Directing Filing of Proposed Updated Procedural Schedule*.

On April 7, 2025, the Staff of the Commission (Staff), on behalf of Liberty, the Midwest Energy Consumers Group (MECG), Influent Energy (Influent), the Empire District Retired Members & Spouses Association, LLC (EDRA), Renew Missouri, and the International Brotherhood of Electrical Workers Local Union No. 1474 (Local 1474) submitted *Corrected Updated Non-Unanimous Joint Proposed Procedural Schedule*.<sup>1</sup>

The Commission prefers the schedule submitted by Staff on behalf of several parties and will order it.

The *Corrected Updated Non-Unanimous Joint Proposed Procedural Schedule* requested expedited evidentiary hearing transcripts to allow sufficient time for review and to offer any needed corrections, as well as to accommodate several other large rate cases. The Commission finds this request reasonable and will grant it.

Lastly, both submitted proposed procedural schedules included dates relevant to a true-up period. The Commission directed the parties to jointly submit an agreed-upon end date for a true-up period. The Commission directed that in the absence of agreement, the parties are to submit a statement of a preferred end date for a true-up period, or a statement why no true-up period is necessary. Those submissions are not due until April 14, 2025. As other responses may yet be submitted, this order does not include dates related to a true-up period.

**THE COMMISSION ORDERS THAT:**

1. The procedural schedule previously ordered by the Commission on December 20, 2024, is cancelled.
2. The following updated procedural schedule is established:

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<sup>1</sup> The corrected version removed a date related to true-up data request responses.

Discovery Conference <sup>2</sup>	April 17, 2025
Discovery Conference	May 23, 2025
Direct Testimony - Revenue Requirement	July 2, 2025
Technical Conference	July 16, 2025
Direct Testimony - Rate Design	July 21, 2025
Local Public Hearing Week	July 21 - 25, 2025
Rebuttal Testimony	August 18, 2025
Settlement Conference	August 25, 2025
Discovery Conference	September 3, 2025
Surrebuttal Testimony	September 15, 2025
Settlement Conference	September 17-18, 2025
List of Issues, Order of Witnesses, Stipulation of Facts	September 23, 2025
Cutoff for Discovery, Responses, and Depositions	September 25, 2025
Position Statements <sup>3</sup>	September 26, 2025
Evidentiary Hearing	October 6-17, 2025 <sup>4</sup>
Initial Briefs <sup>5</sup>	November 6, 2025
Reply Briefs	November 14, 2025

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<sup>2</sup> OPC's proposed schedule included several additional discovery conferences. The Commission notes that its rules on discovery allow such conferences to be scheduled as needed.

<sup>3</sup> Position Statements shall follow the same list of issues as filed in the case and shall be concise statements summarizing the party's position on each disputed issue, including citations to pre-filed testimony or relevant law supporting its position.

<sup>4</sup> Due to a scheduling conflict, the Commission may need to adjourn the evidentiary hearing for all or part of October 7, 2025. The Commission will reserve the date of October 20, 2025, to replace October 7, 2025, if needed.

<sup>5</sup> 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 unresolved issues that the parties believe require decision by the Commission.

3. The parties shall comply with the following procedures:
- a. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
  - b. Parties shall make all reasonable efforts to not include confidential information in data requests. If confidential information must be included in data requests, the confidential information will be appropriately designated as such pursuant to 20 CSR 4240-2.135.
  - c. Data requests issued to or by Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS), if feasible, or in electronic format on compact disc or by other means agreed to by counsel, if infeasible. Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding Staff-issued data requests, if the description contains confidential information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. Data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party's employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule. Liberty's responses to Staff data requests will be available to other parties on EFIS. In addition, Liberty's responses to all parties' data requests will be available for review on ShareFile

for parties who complete the requirements for accessing the ShareFile system.

- d. Until the filing of Rebuttal testimony (August 18, 2025), the response time for all data requests shall be 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. After the filing of Rebuttal testimony (August 18, 2025) and before the filing of Surrebuttal testimony (September 15, 2025), the response time for data requests shall be 10 calendar days to provide the requested information, and five business days to object or notify that more than 10 calendar days will be needed to provide the requested information. After the filing of Surrebuttal testimony (September 15, 2025), the response time for data requests shall be five calendar days to provide the requested information, and two business days to object or notify that more than five calendar days will be needed to provide the requested information. Data requests sent after 5:00 pm will be considered served on the next business day. The Commission may rule on discovery motions filed after Surrebuttal testimony is filed without holding the conference required by 20 CSR 4240- 2.090(8)(B).
- e. Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within two business days following the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked and comply with the other requirements of rule 20 CSR 4240-2.135(2)(B). Workpapers containing highly confidential information shall be appropriately marked and otherwise comply with the Commission's protective order issued November 5, 2024. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.
- f. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact. Workpapers shall

be provided in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.

- g. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.

4. The parties shall comply with the following regarding discovery conferences:

- a. Discovery Conferences will be held in Room 305 at the Commission's office at the Governor's Office Building, 200 Madison Street, Jefferson City Missouri, with remote connectivity via Webex to be provided upon any party's request. Each Discovery Conference will begin at 9:00 a.m. unless otherwise ordered.
- b. At least three business days before each scheduled discovery conference, any party that has a discovery disagreement or concern shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal discovery motion. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.
- c. Discovery Conferences shall be recorded and will be transcribed upon the request of any party or by request of the Commission.

5. Exhibit numbers are assigned as follows:

1-99	Liberty
100-199	Staff
200-299	OPC
300-399	Empire District Retired Members & Spouses Association
400-499	Influent Energy

500-599	IBEW Local Union 1474
600-699	Renew Missouri
700-799	Midwest Energy Consumers Group
800-899	Consumers Council of Missouri

Exhibits shall be marked as set forth in Commission Rule 20 CSR 4240-2.135(10)(C); for example, "Exhibit 2" is public, whereas "Exhibit 2C" is the confidential version.

6. The evidentiary hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri, and will begin its first day, October 6, 2025, at 9:00 a.m. This building meets accessibility standards required by the Americans with Disabilities Act. If you need an accommodation to participate in the evidentiary hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

7. Transcripts for the evidentiary hearing shall be expedited and shall be due no later than October 24, 2025.

8. This order shall be effective when issued.

**BY THE COMMISSION**



*Nancy Dippell*

Nancy Dippell  
Secretary

Hahn, Ch., Coleman, Kolkmeier,  
and Mitchell CC., concur.

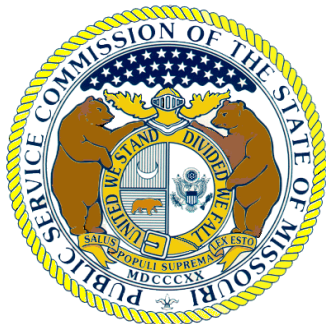
Hatcher, Senior Regulatory Law Judge

**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 10<sup>th</sup> day of April 2025.**



*Nancy Dippell*

**Nancy Dippell**  
**Secretary**



**MISSOURI PUBLIC SERVICE COMMISSION**

**April 10, 2025**

**File/Case No. ER-2024-0261**

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***Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).***

***Sincerely,***

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

**Nancy Dippell  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.