

**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)	<u>File No. ER-2024-0261</u>
Authority to File Tariffs Increasing Rates for)	Tracking No. JE-2025-0127
Electric Service Provided to Customers In its)	
Missouri Service Area)	

**NON-UNANIMOUS JOINT STATEMENT OF A
PREFERRED END DATE FOR A TRUE-UP PERIOD**

COMES NOW, on behalf of the parties,¹ the Staff of the Missouri Public Service Commission's ("Staff") respectfully submits the following request for a true-up period ending on March 31, 2025:

1. On February 26, 2025,² The Empire District Electric Company d/b/a Liberty ("Empire" or "Company") filed tariff sheets with the Missouri Public Service Commission ("Commission") designed to increase its gross annual electric revenues. On March 5, the Commission directed the parties to file an updated proposed procedural schedule no later than March 26, 2025.

2. On March 25, the Office of the Public Counsel ("OPC") filed a *Motion for Extension of Time to File an Updated Procedural Schedule*, which requested an extension of time due to two motions pending before the Commission. The Commission partially granted OPC's request and extended the deadline to submit a proposed procedural schedule to April 7.

¹ The Empire District Electric Company, 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"), joins Staff in this filing.

² All dates refer to 2025 unless otherwise indicated.

3. On April 3, the Commission issued an order³ directing the parties to jointly submit an agreed-upon end date for a true-up period, or, if the parties could not agree, statements of a preferred end date for a true-up period or statements explaining why no true-up period is required by April 14.

4. On April 7, the parties,⁴ with the exception of the OPC and the Consumers Council of Missouri (“CCM”), filed an *Updated Non-Unanimous Joint Proposed Procedural Schedule* (Joint Schedule).⁵ The non-unanimous parties agreed that the true-up period would end on March 31, 2025. The Commission adopted⁶ most of the dates in the *Joint Schedule*, but declined to include the parties' requested end date in its order setting the updated procedural schedule.⁷ Thus, the parties request that the Commission set a true-up period end date of March 31.

5. Staff, on behalf of Empire, MEEG, Influent, EDRA, Renew Missouri, and Local 1474, requests that the Commission adopt the following procedural schedule which includes a true-up period ending March 31, 2025. The true-up process will be for the sole purpose of updating the following items: capital structure; cost of debt; all rate base components; customer growth/loss; depreciation expense; amortization expense (intangible & regulatory assets/liabilities); property tax; payroll and associated items (i.e., OT, benefits, payroll taxes); Pension and OPEB (FAS 87/106); fuel and purchase power expense, to include, but not be limited to, updated contract prices for fuel, wind power, fuel transportation and fuel storage; rate case expense;

³ Order Denying Motion for Relief.

⁴ The Empire District Electric Company, the Midwest Energy Consumers Group (“MEEG”), 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”) joined Staff in the proposal.

⁵ Staff filed a *Corrected Updated Non-Unanimous Joint Proposed Procedural Schedule* to strike a previously agreed upon scheduled item.

⁶ Order Setting Updated Procedural Schedule and Assignment of Exhibit Numbers.

⁷ Order Setting Updated Procedural Schedule and Assignment of Exhibit Numbers.

and Income Tax Expense. Parties may also propose the incorporation of discrete adjustments beyond the true-up period, provided they are known and measurable.

WHEREFORE, on behalf of the Parties, Staff respectfully requests that the Commission set the true-up period to end on March 31, 2025, in compliance with the Commission's April 3, 2025, order.

Respectfully submitted,

/s/ Eric Vandergriff

Eric Vandergriff
Associate Counsel
Missouri Bar No. 73984
P.O. Box 360
Jefferson City, MO 65102
573-522-9524 (Voice)
573-751-9285 (Fax)
Eric.Vandergriff@psc.mo.gov

Staff Counsel for the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all parties and/or counsel of record on this 14th day of April 2025.

/s/ Eric Vandergriff