

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

In the Matter of Empire District Electric )  
Company d/b/a Liberty (Empire) for )  
Authority to Implement Rate Adjustments ) **File No. ER-2021-0097**  
Related to the Company's Fuel and )  
Purchase Power Adjustment (FAC) )  
Required in 20 CSR 4240-20.090 )

In the Matter of The Empire District )  
Electric Company's Request for Authority )  
to File Tariffs Increasing Rates for Electric ) **File No. ER-2019-0374**  
Service Provided to Customers in its )  
Missouri Service Area )

**ORDER DIRECTING FILING AND SETTING INTERVENTION DEADLINE**

Issue Date: October 1, 2020

Effective Date: October 1, 2020

On October 1, 2020, The Empire District Electric Company d/b/a Liberty (Empire) filed a motion for variance and notice of new fuel adjustment clause (FAC) charge types. The motion requests a variance from the Commission's Rule 20 CSR 4240-20.090(8)(D)1A, requirement that a party proposing the inclusion of costs or revenues covered by a market settlement type or schedule file notice in the case approving the utility's FAC no later than 60 days prior to the utility's next fuel adjustment rate (FAR) adjustment filing. Liberty filed its FAR adjustment on October 1, 2020.

Liberty explains that Federal Energy Regulatory Commission changes allowed the Southwest Power Pool (SPP) to implement Combined Interest Resource modeling in August of 2020, which created two new charge types that will be reported on the SPP Settlement Statements. Liberty does not believe that notice is required because there are not actually new charge types, but a consolidation of previously approved charge types.

The Commission will set a deadline for interested parties to intervene.

**THE COMMISSION ORDERS THAT:**

1. Any application for intervention shall be filed no later than October 20, 2020.
2. Staff shall file its recommendation regarding the variance request and notice no later than October 30, 2020.
3. Any responses to Staff's recommendation or Liberty's variance and notice is due no later than November 6, 2020.
4. This order is effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff  
Secretary

John T. Clark, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 1<sup>st</sup> day of October, 2020.

**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 1<sup>st</sup> day of October, 2020.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**October 1, 2020**

**File/Case No. ER-2021-0097 and ER-2019-0374**

**Missouri Public Service Commission**

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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 "Morris L. Woodruff". The signature is written in a cursive style with a large initial "M".

**Morris L. Woodruff  
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.