

**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)	

STAFF’S MOTION FOR DISCOVERY CONFERENCE

COMES NOW the Staff of the Missouri Public Service Commission (Staff),
by counsel, and in support of its Motion for Discovery Conference states as follows:

1. On September 3, 2025, the Missouri Public Service Commission (“Commission”) canceled the scheduled Discovery Conference that was scheduled for the same date. The reason for the Commission’s decision is because no party filed a statement identifying discovery concerns.

2. On September 3, 2025, Staff emailed The Empire District Electric Company d/b/a Liberty (“Empire”), requesting a timely response to 19 overdue data requests. Staff followed up with Empire on September 4-10, 2025, with emails and phone calls informing Empire that if it did not respond to Staff’s data requests by Monday, September 8, 2025, Staff would have no choice but to request a Discovery Conference.

3. Staff currently has six (6) outstanding data requests. The requests are:

- a. Data Request 0459.0, regarding late fees, due on August 28, 2025. This request is currently thirteen (13) days overdue.
- b. Data Request 0481.0, regarding meter data management system, due on September 1, 2025. This request is currently nine (9) days overdue.
- c. Data Request 0482.0, regarding billing exceptions, due on September 1, 2025. This request is currently nine (9) days overdue.

- d. Data Request 0483.0, regarding billing determinants – missing intervals, due on September 1, 2025. This request is currently nine (9) days overdue.
- e. Data Request 0484.0, regarding estimated bills, due on September 1, 2025. This request is currently nine (9) days overdue.
- f. Data Request 0499.0, regarding cyber-security actual and budgeted costs, due on September 6, 2025. This request is currently four (4) days overdue.

Furthermore, on September 5-9, 2025, Staff requested that Empire provide two follow-up responses to data requests 0479.0 and 0493.0, which were not responsive to Staff's requests. On September 9, 2025, Staff offered a compromise, requesting the data it had available and allowing Empire to supplement its information a business day later. Empire did not provide any of the information that Staff agreed to accept.

4. Staff hereby requests that a Discovery Conference be scheduled as soon as the Commission allows, so that the parties can discuss and resolve the issues concerning Staff's unanswered and unresolved data requests. Staff needs a Discovery Conference so that it can include Empire's responses in its surrebuttal testimony, which is due on September 15, 2025.¹ Staff further requests that the Commission allow Staff to supplement its surrebuttal testimony with the data Empire provides.

5. This motion is made in the interest of justice and without the intent to unreasonably delay or hinder these proceedings in any manner.

¹ In the event that the parties are unable to come to an agreement during this requested discovery conference, Staff plans to expedite its motion to compel in order to include Empire's responses in its testimony.

WHEREFORE, Staff requests that the Commission schedule a Discovery Conference by Wednesday, allow Staff to supplement its surrebuttal testimony based on the information Empire provides, and order Empire to comply with it.

Respectfully submitted,

/s/ Eric Vandergriff

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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 10th day of September 2025.

/s/ Eric Vandergriff