

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

In the Matter of the Application of The Empire)
District Electric Company for an Order Granting) Case No. _____
Temporary Billing Variances)

In the Matter of the Application of The Empire)
District Gas Company for an Order Granting) Case No. _____
Temporary Billing Variances)

In the Matter of the Application of Liberty)
Utilities (Missouri Water) LLC for an Order) Case No. _____
Granting Temporary Billing Variances)

In the Matter of the Application of Liberty)
Utilities (Midstates Natural Gas) Corp. for an) Case No. _____
Order Granting Temporary Billing Variances)

**APPLICATION FOR TEMPORARY VARIANCES, REQUEST FOR
WAIVER, AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW The Empire District Electric Company (“EDE”), The Empire District Gas Company (“EDG”), Liberty Utilities (Missouri Water) LLC (“Missouri Water”), and Liberty Utilities (Midstates Natural Gas) Corp. (“Midstates”) (collectively, “Liberty” or the “Companies”), pursuant to 20 CSR 4240-2.060, 20 CSR 4240-2.205, and 20 CSR 4240-4.017(1), and submits this Application for Temporary Variances, Request for Waiver, and Motion for Expedited Treatment with regard to changes in the Companies’ process for handling collective/joint customer billing so that billing issues can be resolved.

1. As part of its SAP-based Customer First transition, Liberty implemented a new billing system. Customers with collective and joint accounts have experienced some of the most significant billing issues since the Companies’ transition to SAP, and, to resolve these billing issues, Liberty will be changing its process for collective and joint billing.

2. The Company discussed the billing issues being experienced regarding

collective/joint accounts with the Staff of the Commission (“Staff”) and the Office of the Public Counsel (“OPC”) and also discussed with Staff and OPC the Company’s proposed solution laid out herein. Staff and OPC have both stated that they do not object to the requested variances, waiver, and expedited treatment.

3. With regard to its Motion for Expedited Treatment, Liberty asks that the Commission act as soon as reasonably possible so that the Companies can implement these changes and move to resolution of billing issues for these customers. Customers will benefit by the Commission acting promptly, as it will allow the Company to begin implementing the below-described process changes immediately, allowing for a better customer experience. There will be no negative effect on Liberty’s customers or the general public by the Commission’s approval of this request. This application was filed as quickly as possible following the Company’s assessment of the collective/joint billing issues, formulation of a desired course of action, and discussion with Staff and OPC.

4. Collective billing is a customer-focused offering designed for individuals or entities with multiple accounts at different locations who prefer a consolidated summary bill. Liberty provides electric, natural gas, water and wastewater services in Missouri – often in various combinations to the same customer, and this is where joint billing comes into play.

5. Liberty has 6856 joint contracts for Missouri Water, 148 for Midstates, and 3686 for EDE. Liberty has 2666 collective contracts for Missouri Water, 1 for Midstates, 2700 for EDG, and 29,052 for EDE.

6. The billing challenges for collective and joint account customers are primarily due to timing variations in meter reads across multiple accounts and/or commodities, which can lead to delays and inconsistencies in consolidated billing.

7. To address these issues, Liberty will be changing its process for collective and joint billing by aligning all so-called “child” accounts to the so-called “parent” account’s meter read schedule (or placing all commodities on the same meter read cycle). The current process is to bill customers in these billing categories at the end of each month, regardless of when the meters for these accounts are read. The proposed alignment will eliminate timing discrepancies and support timely, accurate billing for collective and joint accounts.

8. Liberty plans to gradually move to this new process. A phased approach, taking up to six months, is being taken out of an abundance of caution, to support a smooth transition and an improved experience for customers.

9. To effectuate the process change for collective/joint billing, one-time adjustments will be necessary that could place certain accounts temporarily outside of the standard billing window (26-35 days). As such, the Company seeks a six-month temporary variance, beginning with the issue date of the Commission’s order, from Commission Rule 20 CSR 4240-13.020(1) which, in conjunction with Rule 13.015(1)(C), provides that a billing period shall include usage of not less than 26 days nor more than 35 days.

10. Liberty is designing targeted customer communications to proactively inform and guide the impacted customers through the upcoming improvements so that changes in their billing do not come as a surprise, but these communications may not result in each impacted customer being notified of each billing change at least 15 days prior to the date the customer will receive a bill based on the new cycle. As such, the Company seeks a six-month temporary variance from Commission Rule 20 CSR 4240-13.020(6) which provides that, when a meter reading route or billing cycle is changed by 9 days or more, notice shall be provided to customers at least 15 days prior to the date a customer will receive a bill based on the new cycle.

11. Liberty's communication plan regarding this change in process considers three key stakeholders: employees, customers, and communities. For employees, key messages will be provided to customer service representatives ("CSRs") to assist the CSRs with answering questions from customers. For impacted customers, Liberty plans to mail a letter prior to the change (attached as Exhibit A) and include a bill insert with impacted customer bills. Liberty also plans to place an alert on the Company's website directing customers to information about the process change and include an announcement on the process change in Liberty's monthly customer email newsletter. For the communities served by Liberty, the Company plans targeted outreach to update community leaders and government officials regarding the process change and planned customer communications.

12. Good cause exists for the grant of these requested variances, as well as waiver of the 60-day notice pursuant to 20 CSR 4240-4.017(1). The Companies are implementing process changes for the handling of collective/joint customer billing specifically to improve its customers' experience and, in part, due to the concerns raised by customers and other stakeholders during the Company's recent town halls and EDE's recent rate case public hearings.

13. In compliance with Commission Rule 20 CSR 4240-2.075(2), Liberty also includes the required general information for an application below.

14. EDE is a Kansas corporation with its principal office and place of business at 602 S. Joplin Ave., Joplin, Missouri, 64801. EDE is qualified to conduct business and is conducting business in Missouri, as well as in the states of Arkansas, Kansas, and Oklahoma. EDE is a "public utility" and, therefore, is subject to the general regulatory jurisdiction of the Commission as provided by law and is engaged, generally, in the business of generating, purchasing, transmitting, distributing, and selling electricity in portions of the referenced four states.

15. EDE's documents of incorporation from Kansas and certificate of authority from Missouri were previously filed with the Commission in Case No. EF-94-39. These documents are incorporated by reference. EDE has no overdue Commission annual reports or assessment fees. There is no pending action or final unsatisfied judgment or decision against EDE from any state or federal agency or court which involves customer service or rates, which action, judgment, or decision has occurred within three years of the date of this filing.

16. EDG is a corporation organized and existing under the laws of the state of Kansas and provides natural gas utility service throughout a number of Missouri counties, with its principal office located at 602 S. Joplin Ave, Missouri, 64802. EDG is a "gas corporation" and "public utility" as those terms are defined in RSMo. §386.020 and as such is subject to the jurisdiction of the Commission as provided by law. A certified copy of EDG's Certificate of Authority to do business as a foreign corporation evidencing EDG's authority to conduct business in Missouri was submitted in Case No. GO-2006-0205 and is incorporated herein by this reference. The information on such Certificate is currently applicable and correct.

17. EDG has no overdue Commission annual reports or assessment fees. There is no pending action or final unsatisfied judgment or decision against EDG from any state or federal agency or court which involves customer service or rates, which action, judgment, or decision has occurred within three years of the date of this filing.

18. Missouri Water is a Missouri limited liability company and provides water and sewer services to customers in its Missouri service areas, as certificated by the Commission. Missouri Water is a "water corporation," a "sewer corporation," and a "public utility," as those terms are defined by RSMo. §386.020 and, therefore, is subject to the general regulatory jurisdiction of the Commission as provided by law. A copy of Missouri Water's Certificate of

Good Standing was attached as Appendix A to the Joint Application filed in Commission Case No. WM-2018-0023. In Commission Case No. SN-2014-0036, Missouri Water filed a fictitious name certificate showing the name “Liberty Utilities” is registered to Liberty Utilities (Missouri Water) LLC. In Commission Case Nos. WN-2021-0042 and SN-2021-0043, a fictitious name certificate was filed showing the name “Liberty” is registered to Liberty Utilities (Missouri Water) LLC. These documents are incorporated by reference and are currently applicable and correct.

19. Missouri Water has no overdue Commission annual reports or assessment fees. There is no pending action or final unsatisfied judgment or decision against Missouri Water from any state or federal agency or court which involves customer service or rates, which action, judgment, or decision has occurred within three years of the date of this filing.

20. Midstates is a corporation organized and existing under the laws of the state of Missouri and provides natural gas utility service throughout a number of Missouri counties. Midstates is a “gas corporation” and a “public utility” as those terms are defined in RSMo. §386.020 and as such is subject to the jurisdiction of the Commission as provided by law. A copy of Midstate’s Certificate of Corporate Good Standing issued by the Missouri Secretary of State’s Office addressing its corporate status was filed with the Commission in Case No. GM-2012-0037 and is incorporated herein by reference.

21. Midstates has no overdue Commission annual reports or assessment fees. There is no pending action or final unsatisfied judgment or decision against Midstates from any state or federal agency or court which involves customer service or rates, which action, judgment, or decision has occurred within three years of the date of this filing.

22. Liberty has not filed a 60-day notice pursuant to 20 CSR 4240-4.017(1) and requests a waiver of this requirement. Rule 20 CSR 4240-4.017(1)(D) provides that a waiver may

be granted for good cause. Good cause exists in this case. Liberty declares (as verified below) that it has had no ex parte communication with the office of the Commission (as defined by Commission Rule 20 CSR 4240-4.017(1)(D)) within the prior 150 days regarding any substantive issue likely to be in this case. Accordingly, for good cause shown, Liberty moves for a waiver of the 60-day notice requirement of Rule 20 CSR 4240-4.017(1) and acceptance of this Application at this time so that the Companies can move forward with these changes immediately.

WHEREFORE, Liberty respectfully requests, for good cause shown, that the Commission grant its Application for Temporary Variances, Request for Waiver, and Motion for Expedited Treatment, waiving the prefiling notice requirement of 20 CSR 4240-4.017(1), granting the requested six-month billing variances from 20 CSR 4240-13.020(1) and 20 CSR 4240-13.020(6), and issuing its order on an expedited basis.

Respectfully submitted,

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 11th day of September, 2025, and sent by electronic transmission to the Staff of the Commission and the Office of the Public Counsel.

/s/ Diana C. Carter

VERIFICATION

On behalf of The Empire District Electric Company, The Empire District Gas Company, Liberty Utilities (Missouri Water) LLC, and Liberty Utilities (Midstates Natural Gas) Corp., and pursuant to Commission Rules, the undersigned, upon his oath and under penalty of perjury, hereby states that the above filing is true and correct to the best of his information, knowledge, and belief.

/s/ Tim Wilson
President, Electric