

Exhibit No.: _____
Issue(s): Cybersecurity
Witness: Shawn Eck
Type of Exhibit: Surrebuttal Testimony
Sponsoring Party: The Empire District
Electric Company d/b/a Liberty
Case No.: ER-2024-0261
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**Before the Public Service Commission
of the State of Missouri**

Surrebuttal Testimony

of

Shawn Eck

on behalf of

The Empire District Electric Company d/b/a Liberty

September 17, 2025



SURREBUTTAL TESTIMONY OF SHAWN ECK
THE EMPIRE DISTRICT ELECTRIC COMPANY D/B/A LIBERTY
BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION
CASE NO. ER-2024-0261

1 **Q. Please state your name and business address.**

2 A. My name is Shawn Eck. My business address is 602 S. Joplin Avenue, Joplin, Missouri,
3 64801.

4 **Q. Are you the same Shawn Eck who provided direct testimony in this matter on**
5 **behalf of The Empire District Electric Company d/b/a Liberty (“Liberty” or the**
6 **“Company”)?**

7 A. Yes.

8 **Q. What is the purpose of your surrebuttal testimony in this proceeding before the**
9 **Missouri Public Service Commission (“Commission”)?**

10 A. I address the concerns brought forth by the Office of Public Counsel (“OPC”) witness
11 Angela Schaben related to cybersecurity.

12 **Q. Ms. Schaben asserts that Liberty’s per customer cybersecurity costs are more**
13 **than double those of other electric utilities in Missouri. Do you agree with her**
14 **analysis?**

15 A. No, I do not. Ms. Schaben’s analysis lacks the necessary context to make a meaningful
16 comparison. To accurately evaluate per-customer cybersecurity costs across utilities,
17 one must confirm that the scope, scale, and nature of the investments are equivalent.
18 Liberty’s cybersecurity program includes comprehensive data security initiatives
19 designed to establish visibility, monitoring, and control over critical business data. If
20 Ameren or Evergy do not include similar initiatives in their cybersecurity portfolios,
21 then their reported costs would not reflect comparable investments. Furthermore,
22 Liberty’s cybersecurity investments are designed to meet minimum customer

1 protection standards and regulatory expectations. Without detailed insight into
2 cybersecurity strategies and compliance obligations of Ameren and Evergy, it is not
3 possible to determine whether their programs address the same requirements.

4 It is also important to recognize that certain foundational cybersecurity
5 investments carry fixed costs, regardless of utility size. When those costs are spread
6 across smaller customer base – as is the case with Liberty – the per-customer metric
7 will naturally appear higher. Evergy serves nearly twice as many customers as Liberty,
8 and Ameren serves nearly ten times as many. Over a multi-year horizon, Liberty's
9 cybersecurity costs as a percentage of total customer costs are consistent with those of
10 its peers. Finally, Liberty is transitioning to a subscription-based, cloud-delivered
11 cybersecurity model. This approach enhances flexibility and reduces long-term
12 financial burden on customers, but it also shifts certain capital expenditures into
13 operational expense categories. Ms. Schaben's reliance on O&M non-labor cost per
14 customer may not fully account for this shift in cost structure, which reflects broader
15 industry trends toward service-based cybersecurity solutions. We encourage the
16 Commission and OPC to recognize the importance of investing in modern, scalable
17 cybersecurity infrastructure that protects critical assets and customer data. Liberty's
18 approach is aligned with best practices and reflects a prudent response to evolving
19 cyber threats.

20 **Q. Do you have a response to Ms. Schaben's discussion on an increased headcount of**
21 **employees over the lifespan of the program?**

22 A. Yes. The incremental headcount that will be added over the lifespan of the
23 Cybersecurity Program is required to support the new tools and systems being

1 implemented. Several of the positions are already in place within Liberty, with the
2 additional headcount being added as the new capabilities are brought online.

3 **Q. Please provide clarification on what the National Institute of Standards and**
4 **Technology Cybersecurity Framework (NIST CSF) is and how it relates to the**
5 **work being done as part of the Cybersecurity Program.**

6 A. NIST CSF was developed in 2013 as the result of an Executive Order focused on
7 enhancing the security of critical infrastructure. It is a well-recognized guideline and
8 common language for managing cybersecurity risks that has been adopted by the
9 Cybersecurity and Infrastructure Security Agency as the best practice for governance
10 of cybersecurity for an organization. It helps to measure current maturity, support
11 identification of gaps, and prioritize improvements in a structured way. While widely
12 adopted across many industries it is not a requirement to be “met” but rather a
13 framework that Liberty adapts to our needs and risk environment. In my direct
14 testimony, and contrary to the assertion of OPC, I did not imply it is required by order.
15 Instead, I stated that these functions are “required for the Company to timely and
16 adequately keep up with ever-evolving threats.”

17 **Q. How does the Cybersecurity Program and associated improvements support**
18 **business enablement and growth?**

19 A. The Cybersecurity Program introduces new protections and other systems integrations
20 that provide additional security and controls that enable Liberty to leverage the latest
21 technological advancements that add value to customers.

22 **Q. Do you have a response to the OPC recommendation that the Commission not**
23 **allow the recovery of Cybersecurity Program and Cybersecurity O&M expenses?**

1 A. Yes. OPC's recommendation should be rejected. The Cybersecurity Program is a
2 foundational component of Liberty's enterprise-wide risk management strategy and is
3 designed to safeguard critical utility infrastructure, customer data, and operational
4 continuity. These protections are not tied to any single initiative – such as Customer
5 First – but instead support the integrity and resiliency of core utility functions across
6 the organization. Cybersecurity is not discretionary. It is a regulatory and operational
7 necessity, driven by industry standards, evolving threat landscapes, and customer
8 privacy obligations. The associated costs reflect prudent investments and expenses in
9 systems and protocols that are actively in service and delivering value to our customers.
10 Disallowing recovery of these costs would undermine the Company's ability to
11 maintain secure and reliable service, and would be inconsistent with the Commission's
12 recognition of cybersecurity as recoverable utility expense.

13 **Q. Does this conclude your surrebuttal testimony at this time?**

14 A. Yes.

VERIFICATION

I, Shawn Eck, under penalty of perjury, on this 17th day of September, 2025, declare that the foregoing is true and correct to the best of my knowledge and belief.

/s/ Shawn Eck