

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

In the Matter of The Empire District Electric Company’s)
Submission of its Interim Report Regarding) Case No. EO-2012-0269
Participation in the Southwest Power Pool, Inc.)

**REPLY REGARDING MOTION
FOR CONTINUATION OF CONDITIONAL APPROVAL**

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”), and for its Reply Regarding Motion for Continuation of Conditional Approval of Liberty’s continued membership in the Southwest Power Pool (“SPP”), respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. On July 28, 2025, Liberty filed its motion seeking an extension of interim approval until all transmission facilities identified in the 2024 Integrated Transmission Plan (“ITP”) are placed into service. The 2024 ITP was officially approved on October 29, 2024, by the SPP Board of Directors. The plan includes short-term reliability upgrades within the Liberty service territory, with a particular focus on enhancing system resilience during extreme weather events, especially in the eastern portion of the SPP footprint. Liberty explained in its motion that extending the interim approval period, as requested, would allow the Company the opportunity to realize meaningful system performance improvements while sharing the costs among the SPP participants.

2. The Commission gave interim and conditional approval for Liberty until October 1, 2025, to allow more time for the Staff of the Commission (“Staff”) and the Office of the Public Counsel (“OPC”) to consider Liberty’s request. On September 12, 2025, Staff and OPC filed in opposition to Liberty’s request and proposed that the Commission extend its interim and conditional approval for Liberty to remain in SPP only until October 1, 2027. Staff and OPC also requested that the

Commission order Liberty to provide a lengthy list of information no later than September 30, 2026. While Liberty understands the desire for clarity and accountability in evaluating the Company's continued participation in SPP, Liberty respectfully disagrees with the recommendation of Staff and OPC to impose a fixed two-year extension ending October 1, 2027.

3. Staff and OPC propose a two-year extension without tying that date to any specific regulatory milestone, project completion, or planning cycle. In contrast, Liberty's request is grounded in the tangible and measurable progress of the 2024 ITP. The projects identified in the 2024 ITP represent the first meaningful investment in the southeastern SPP seam – an area that has historically been underserved in regional transmission planning. Liberty's request to extend conditional approval “until all transmission facilities identified in the 2024 ITP are placed into service” is not indefinite – it is outcome-based. It aligns the Commission's review with the actual realization of benefits for Liberty's customers, rather than an arbitrary calendar date.

4. Liberty acknowledges that the transmission projects identified in the 2024 ITP are long-term in nature, with current estimates suggesting that many of the projects directly benefiting Liberty's customers will be completed in the 2030 timeframe. This understanding further supports Liberty's position that a fixed two-year extension is misaligned with the realities of regional transmission planning and construction.

5. Staff and OPC express concern about a lack of specificity in Liberty's motion. The Company would be agreeable to isolating the projects from the 2024 ITP to only those projects to be constructed in Liberty's service territory. The current expected completion date for those projects is December 30, 2030. Additionally, Liberty is committed to transparency and can provide:

- a. a list of 2024 ITP projects that will directly benefit Liberty's customers, including estimated costs, in-service dates, and expected reliability or economic benefits; and

b. a timeline of SPP's Notice to Construct ("NTC") issuance process for these projects, several of which are already underway.

6. Liberty would also like to work collaboratively with Staff and OPC to identify what additional information would be most useful and feasible to provide, recognizing that the timing and scope of such data may depend on the progress of SPP planning and project development.

7. Unlike Ameren and Evergy, Liberty operates in a region that has historically seen limited transmission investment. The 2024 ITP marks a turning point, with projects specifically designed to enhance system resilience in southwest Missouri and neighboring areas. These projects were informed in part by Liberty's collaboration with SPP following Winter Storm Elliott, and they represent a critical opportunity to deliver long-term value to Liberty's customers. Prematurely evaluating Liberty's continued participation in SPP – before these projects are constructed and operational – would risk undermining the very benefits the Commission has long sought to measure.

8. As such, Liberty respectfully requests that the Commission (1) reject the proposed two-year limit as arbitrary and misaligned with the planning and construction timelines of the 2024 ITP, (2) approve Liberty's request to extend conditional approval until the conclusion of the 2024 ITP projects that are specific to Liberty's zone, and (3) direct the parties to work collaboratively and identify what additional information would be most useful and feasible to provide, recognizing that the timing and scope of such data may depend on the progress of SPP planning and project development.

9. Liberty remains committed to working collaboratively with Staff, OPC, and the Commission to ensure that the Company's participation in SPP continues to serve the public interest.

WHEREFORE, Liberty requests an extension of the Commission's interim and conditional approval of Liberty's membership in the SPP as requested herein. Liberty requests such additional relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527

428 E. Capitol Ave., Suite 303

Jefferson City, Missouri 65101

Cell Phone: (573) 289-1961

E-Mail: Diana.Carter@LibertyUtilities.com

CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 17th day of September, 2025, with notification of the same being sent to all counsel of record.

/s/ Diana C. Carter