

Exhibit No. 115

Staff – Exhibit 115
Testimony of Brodrick Niemeier
Direct
File No. ER-2024-0261

Exhibit No.:
Issue(s): *Plant Additions and Modifications*
Witness: *Brodrick Niemeier*
Sponsoring Party: *MoPSC Staff*
Type of Exhibit: *Direct Testimony*
Case No.: *ER-2024-0261*
Date Testimony Prepared: *July 2, 2025*

MISSOURI PUBLIC SERVICE COMMISSION

INDUSTRY ANALYSIS DIVISION

ENGINEERING ANALYSIS DEPARTMENT

DIRECT TESTIMONY

OF

BRODRICK NIEMEIER

**THE EMPIRE DISTRICT ELECTRIC COMPANY,
d/b/a Liberty**

CASE NO. ER-2024-0261

Jefferson City, Missouri
July 2025

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PLANT ADDITIONS AND MODIFICATIONS

Q. Can you discuss the projects listed within the schedule attached to Empire witness Brian Berkstressor's direct testimony?

A. Yes. There were 20 different funding projects for plant additions and modifications discussed within Direct Schedule BB-1, totaling approximately \$71.8 million. For addition or modification project costing at least \$1 million, Staff reviewed work and change orders as well as initial estimates, final costs, and the Empire's justification for each project. All project costs appear reasonable according to the provided information, and most projects remained close to their initial estimates, although one project ended up being 3,000 times its initial estimate. This project extended the existing outdoor crane at Ozark Beach downstream so that equipment and supplies could be brought in via an access road instead of via barge. Empire cited safety issues associated with moving heavy materials via an unstable barge as justification. After Staff looked further into this project, it was determined that the initial estimate of \$10,000 was significantly low, and that the final cost of \$2.9 million was reasonable. Empire also noted that the description and justifications for projects AS00706 and AG00398 within direct schedule BB-1 were "flipped."¹ The only other detail of note about one of these projects is that one, labeled PR007, mentioned replacement of Riverton 10's and 11's lube oil coolers. ** [REDACTED]

[REDACTED] ." **²

Q. Does Staff have additional recommendations regarding capital project management?

¹ Empire response to Staff data request #0335

² Confidential Empire response to Staff data request #0342

1 A. Yes. Staff witness Matthew Young discusses Staff's recommendation for
2 internal audits on a variety of topics including authorization procedures for capital projects.

3 Q. Does any other Staff member discuss Empire's capital project management?

4 A. Yes. Staff witness Claire Eubanks reviewed projects related to Empire's
5 transmission and generation projects and similarly noted a concern with initial budgeting of
6 certain capital projects.

7 **RIVERTON REPAIRS**

8 Q. Were Riverton 10 repairs included in any of the above projects?

9 A. No. There were two projects attributed to the Riverton site as a whole, which
10 were the construction of a new storage building and drilling a new well. Project PR007 above
11 has been attributed to Riverton 12, as it covers the unit's major planned outage in 2023 as well
12 as the acquisition of a spare transformer that can be used at Riverton, Stateline,
13 or Every Center. Other than in the brief description of the project within Direct Schedule
14 BB-1, there is no mention of Riverton 10 or 11 additions or modifications in that project's
15 description or change orders staff received in subsequent data requests. No other projects in
16 the schedule refer to Riverton 10.

17 Q. Can you discuss the current situation with Riverton repairs?

18 A. Yes. In February of 2021, Riverton 10 experienced an outage due to a fire.

19 **

20 [REDACTED], ^{**3} Empire was required to completely repair the unit.
21 Otherwise, its replacement could not go through Southwest Power Pool's ("SPP") generator

³ Confidential Empire response to Staff data request #0045 in case EA-2023-0131

1 replacement process and instead would have had to go through SPP's generation queue,⁴ which
2 would delay the project. Empire went through with repairing Riverton 10, and the unit re-
3 entered service in January of 2024. Riverton 10 and 11 are vital pieces of Empire's generation
4 fleet, and it is necessary for at least one of them to always be in-service. In August of 2023,
5 Riverton 11 entered outage due to blade migration, leaving Empire without either unit for three
6 months. Currently, both units are planned to be replaced by August, 2026, ** [REDACTED]

7 [REDACTED] . **⁵

8 Q. Does Empire plan to add the costs to repair Riverton 10 to its rate base within
9 this case?

10 A. No. One of the conditions agreed to by Staff and Empire within the CCN to
11 replace Riverton 10 and 11 was to provide testimony discussing Empire's decision making
12 process leading up to Riverton 10's repairs. Empire has not included any such testimony,
13 and Empire has confirmed that repair costs have not been proposed to be added to rate base in
14 this case.

15 Q. Does this conclude your direct testimony?

16 A. Yes it does.

⁴ FERC case number ER23-928

⁵ Empire Response to Staff data request #0340 and #342, with #342's response being confidential.

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) Case No. ER-2024-0261
Authority to File Tariffs Increasing Rates)
for Electric Service Provided to Customers)
in Its Missouri Service Area)

AFFIDAVIT OF BRODRICK NIEMEIER

STATE OF MISSOURI)
)
COUNTY OF COLE) ss.

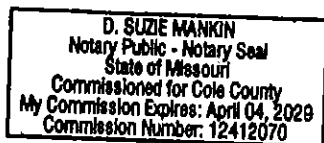
COMES NOW BRODRICK NIEMEIER and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Direct Testimony of Brodrick Niemeier*; and that the same is true and correct according to his best knowledge and belief.

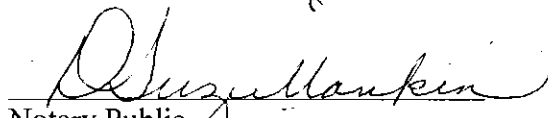
Further the Affiant sayeth not.


BRODRICK NIEMEIER

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 15th day of July 2025.




Notary Public

CREDENTIALS AND CASE PARTICIPATION OF
BRODRICK NIEMEIER

Present Position:

I am an Associate Engineer in the Engineering Analysis Department, Industry Analysis Division, of the Missouri Public Service Commission.

Educational Background and Work Experience:

In December 2021, I received a Bachelor of Science Degree in Chemical Engineering from Missouri University of Science and Technology. I joined the Commission Staff in March 2022.

Testimony Filed:

Case Number	Utility	Testimony	Issue
GE-2018-0193	Summit Natural Gas of Missouri	Staff Report	Meter Inspections
EA-2022-0244	Ameren Missouri	Rebuttal	Qualifications and Report Requirements
EO-2022-0320	Evergy Missouri West	Staff Report	Change of Provider
WA-2022-0361	Missouri-American Water Company	Staff Report	Depreciation
WA-2023-0026	Confluence Rivers	Staff Report	Depreciation
WA-2023-0071	Missouri-American Water Company	Staff Report	Depreciation
EO-2023-0105	Evergy Missouri West	Staff Report	Change of Provider
GE-2023-0196	Liberty (Empire) Gas	Staff Report	Meter Inspections
GE-2023-0354	Spire Missouri	Staff Report	Meter Inspections
EO-2024-0035	Evergy Missouri West	Staff Report	Change of Provider
EO-2024-0142	Evergy Missouri West	Staff Report	Change of Provider
EO-2024-0161	Evergy Missouri West	Staff Report	Change of Provider

Case Number	Utility	Testimony	Issue
EA-2023-0131	Liberty (Empire) Electric	Staff Report	Application Requirements, Qualifications, Maintenance and Forced Outages, and Operating Plans
ER-2024-0189	Evergy Missouri West	Direct, Rebuttal, True-up	Fuel and Purchased Power Cost
GE-2024-0345	Summit Natural Gas of Missouri	Staff Report	Meter Inspections
EA-2024-0237	Ameren Missouri	Staff Report	Application Requirements
ER-2024-0319	Ameren Missouri	Direct, True-up	Solar In-service Criteria
EO-2025-0223	Liberty (Empire) Electric	Report	Territorial Agreement
EA-2025-0075	Evergy Missouri West	Report	Public Interest and Application Requirements