

Exhibit No. 170

Staff – Exhibit 170
Testimony of Lindsey Smith
Surrebuttal/True-Up Direct
File No. ER-2024-0261

Exhibit No.:
Issue(s): Cash Working Capital,
Customer Advances,
Customer Deposits and
Interest Expense, Materials
and Supplies, Payroll,
Payroll Taxes, Payroll
Benefits, Prepayments
Witness: Lindsey Smith
Sponsoring Party: MoPSC Staff
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Testimony
Case No.: ER-2024-0261
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MISSOURI PUBLIC SERVICE COMMISSION

FINANCIAL & BUSINESS ANALYSIS DIVISION

AUDITING DEPARTMENT

SURREBUTTAL / TRUE-UP DIRECT TESTIMONY

OF

LINDSEY SMITH

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

CASE NO. ER-2024-0261

*Jefferson City, Missouri
September 2025*

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1 **SURREBUTTAL / TRUE-UP DIRECT TESTIMONY**

2 **OF**

3 **LINDSEY SMITH**

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

6 **CASE NO. ER-2024-0261**

7 Q. Please state your name and business address.

8 A. My name is Lindsey Smith. My business address is 615 East 13th Street,
9 Kansas City, Missouri 64106.

10 Q. By whom are you employed and in what capacity?

11 A. I am employed by the Missouri Public Service Commission (“Commission”) as
12 a Senior Utility Regulatory Auditor.

13 Q. Are you the same Lindsey Smith that filed direct testimony in these proceedings
14 on July 2, 2025?

15 A. Yes.

16 **EXECUTIVE SUMMARY**

17 Q. What is the purpose of your surrebuttal / true-up direct testimony?

18 A. My surrebuttal testimony responds to Empire witness Charlotte T. Emery
19 regarding cash working capital, dues and donations, Edison Electric Institute (“EEI”) dues,
20 materials and supplies, payroll and payroll taxes, and payroll related benefits.

21 My true-up direct testimony will identify Staff adjustments that were revised to include
22 data through March 31, 2025.

SURREBUTTAL TESTIMONY

CASH WORKING CAPITAL

Q. Please explain Empire witness Emery's opposition to Staff's cash working capital approach.

A. Ms. Emery is opposing Staff's 365-day expense lead associated with income tax expense. Ms. Emery states in her rebuttal testimony that it would be inappropriate to include a 365-day lead expense as this approach would imply Empire receives money on the first day of the year for its annual income tax expense rather than over the course of the year consistent with billing practices. Empire believes its proposal of 39.38 lag days is more accurate.

Q. Do you agree with Ms. Emery's rebuttal testimony?

A. No. Ms. Emery's argument is based on a fundamental misunderstanding of the purpose of a lead/lag study and the concept of cash working capital. Staff's proposed 365-day lead is not meant to address the timing that Empire collects revenues for a cost. Rather, it represents the length of time that passes before that expense is paid, which, by the nature of income taxes in the current case, is not until the end of the year. The lag described by Ms. Emery is the revenue lag component of cash working capital. Staff and Empire's schedules are aligned for the income tax revenue lag.

Q. Why is Empire's proposed 39.38 lead days inaccurate?

A. Empire's proposed 39.38 lead days is inaccurate and inconsistent with the actual cash flow of the expense. As of the September 30, 2024, update period and the March 31, 2025, true-up date, Empire is not in a taxable position and is not making income tax payments to taxing authorities. A 39.38 day expense lag suggests that Empire is making quarterly income tax payments which is simply not the case. Staff's approach correctly recognizes the full cycle

1 of cash availability consistent with prior Commission guidance, which is a crucial component
2 of a proper lead/lag study and protects ratepayers from paying for an excessive return on
3 Empire's operations.

4 Q. Please explain the current Commission guidance regarding the income tax
5 expense lag as part of the cash working capital calculation.

6 A. In Spire Missouri's rate case, GR-2021-0108, the Office of the Public Counsel
7 witness John A. Riley, proposed to reflect a 365-day expense lag as part of cash working capital
8 because Spire Missouri would not be required to pay income taxes through the period that
9 the rates from the last rate case were in effect. This issue was litigated and the Commission
10 found that:¹

11 [F]ederal and state income tax expense is included in rates but the
12 Company is not likely to remit any federal or state income taxes because
13 of its net operating loss carryforward (NOLC)...this lack of income tax
14 payment should be reflected in the CWC expense lag. The fact that no
15 income tax payments have been made in the test year or true-up period
16 justifies the use of a 365-day expense lag. Therefore, the Commission
17 finds that the appropriate expense lag days for income taxes within the
18 CWC calculation is 365 days.

19 Q. What is Staff's final recommendation to the Commission regarding the cash
20 working capital calculation?

21 A. Staff recommends that the Commission reject Empire's position and adopt
22 Staff's methodology. Staff's approach follows Commission guidance and provides a more
23 accurate and consistent reflection of the company's cash flow related to income tax expense.

¹ Page 29, GR-2021-0108, *Report and Order*.

DUES AND DONATIONS

Q. What was Staff's recommendation for dues and donations expense in its direct revenue requirement?

A. Staff applied the four criteria used in Kansas City Power and Light's 1985 general rate case, Case No. EO-85-185, to establish when dues and donations expenses should not be included in customer rates. The criteria for disallowing dues and donation expenses are:

- (1) The expenses are involuntary ratepayer contributions of a charitable nature;
- (2) The expenses are supportive of activities that are duplicative of those performed by other organizations to which the company belongs or pays dues;
- (3) The expenses are associated with active lobbying activities which have not been demonstrated to provide any direct benefit to the ratepayers; or,
- (4) The expenses represent costs of other activities that provide no benefit or increased service quality to the ratepayer.

In regard to the criteria listed above, Staff excluded dues and donations that do not have any direct benefit to ratepayers and were not necessary for the provision of safe and adequate service. Examples of dues and donations excluded from recovery in this rate case are dues paid to Amazon, Sam's Club, press and media firms, energy marketing associations, rotary clubs, and fire departments. Area Chamber of Commerce dues were allowed, but State Chamber of Commerce dues were disallowed as being political in nature, as well as duplicative of costs paid to the local Chamber of Commerce organizations. Allowing Empire to recover these expenses through rates causes the ratepayer to involuntarily contribute to these organizations.

Q. What is Empire witness Emery's recommendation for inclusion in the revenue requirement of dues and donations made during the test year?

A. In Ms. Emery's Rebuttal Testimony, page 29, lines 1-2, she states Empire opposes Staff's adjustment to exclude any dues and donations from the cost of service. She also goes on to state Staff's proposed disallowance applies overly broad criteria and fails to account for the operational relevance and strategic value of certain expenditures.

1 Q. Do you agree with this assessment?

2 A. No, I do not. The Staff's criteria are not overly broad; they are based on
3 a fundamental principle of ratemaking: shareholders, not ratepayers, should bear the cost
4 of philanthropic activities, lobbying, and other expenses that are not necessary for the
5 provision of safe and adequate utility service. Empire's claim of "operational relevance and
6 strategic value" is unsubstantiated with no specific, quantifiable evidence of how these
7 contributions directly translate into tangible benefits that lower costs or improve service quality
8 for customers.

9 Among Staff's excluded amounts are dues to Amazon, Sam's Club, and press and media
10 firms. These expenses represent costs of other activities that provide no benefit or increased
11 service quality to the ratepayers, are not necessary for safe and adequate service, and costs
12 are not aligned with criterion (4) from above. Empire also did not provide description of
13 what these dues were specifically for. Ms. Emery provides a list of groups, such as the
14 Chamber of Commerce, that Empire makes contributions to. However, local Chamber
15 Commerce dues were allowed by Staff and only the State Chamber of Commerce dues were
16 disallowed as being political in nature and being duplicative costs to the local Chamber of
17 Commerce organizations. Criterion (2) states dues and donations expense should not be
18 included if the expenses are supportive of activities that are duplicative of those performed by
19 other organizations to which the company belongs or pays dues. Including these dues and
20 donations expenses would be duplicate recovery for Empire. While these donations may be
21 considered a part of being a "good corporate citizen", they are, by their very nature, involuntary
22 contributions from customers.

1 Q. Ms. Emery states in her rebuttal testimony, page 28, lines 17-21, that
2 “Staff states in testimony that they recognize the importance of good corporate citizenship in
3 the communities served by utilities, however, Staff suggests dues and donations do not provide
4 ANY benefit to customers and are not necessary for the provision of safe and adequate service
5 and should be excluded from Empire’s revenue requirement”. Why is this important?

6 A. In my direct testimony, page 8, lines 17-20, I state “While Staff recognizes the
7 importance of being a good corporate citizen in the communities served by utilities, dues and
8 donations that do not provide any direct benefit to ratepayers and are not necessary for the
9 provision of safe and adequate service should be excluded from Empire’s revenue
10 requirement.” Empire’s testimony misrepresents Staff’s position. I did not suggest all forms of
11 dues and donations do not provide any benefit to customers, thus only a small portion of
12 dues and donations expense was excluded from rates based on a careful review of Empire’s
13 expenses against four specific, well-defined criteria. In addition, the Commission has allowed
14 dues based on the fact they provide an indirect customer benefit, not on the basis of being a
15 good corporate citizen.²

16 Q. What is your final recommendation to the Commission regarding the Empire’s
17 dues and donations?

18 A. I recommend that the Commission adopt Staff’s proposed adjustment to remove
19 a portion of the dues and donations expense from the revenue requirement. Staff followed
20 criteria preceded by the Commission to form the appropriate adjustment. To allow these
21 costs would be to grant Empire duplicate recovery and compel customers to pay for Empire’s
22 charitable and community relations activities.

² Pages 39-40, EO-85-185, *Report and Order*.

EDISON ELECTRIC INSTITUTE DUES

Q. What is Staff's recommendation for inclusion of EEI dues in the revenue requirement?

A. In my direct testimony, page 11, beginning on line 3, I stated:

Since Empire did not identify direct quantifiable benefits to the ratepayer or explain their method of allocating the expenses between the shareholders and the ratepayers in direct testimony, and consistent with prior Commission Report and Orders, Staff removed the amount of EEI dues and fees included in the test year expense from Empire's cost of service.

Q. What is Empire witness Emery's recommendation for inclusion in the revenue requirement of EEI dues and fees made to EEI during the test year?

A. Ms. Emery states on page 30, lines 6-8, of her Rebuttal Testimony, that, "[t]he Company has already taken care to exclude any non-recoverable portions and has included only the prudent, customer-benefiting share of EEI dues in its cost of service." Therefore, Ms. Emery recommends that the amount of EEI dues and fees Empire included for recovery from ratepayers should be included in the Empire's cost of service.

Q. What is the total amount of EEI dues and fees that Ms. Emery is recommending be included in Empire's cost of service?

A. Through my analysis, I determined that Empire booked 28% of the test year EEI dues to non-regulated utility operations, which means Ms. Emery is recommending 72% of the test year EEI dues be included in regulated utility operation accounts.

Q. Did Empire provide testimony in the present case detailing how they allocated 28% of the test year EEI dues to shareholders and 72% of the test year EEI dues to be included in the cost of service?

1 A. No. Empire did not support an adjustment to clearly identify that a portion of the
2 EEI dues were removed from Empire's rate request. As I stated in my direct testimony,
3 I determined in my analysis the portion of EEI costs that were booked through routine
4 accounting entries to non-regulated operations. There was no testimony, no adjustment and
5 no explanation in Empire's direct case for how the amounts booked to non-regulated operations
6 were calculated nor how the amounts booked to regulated utility operation accounts were
7 calculated. For regulatory purposes, there is no information provided in this rate request that
8 identifies that some portion of the dues were in non-regulated operations. There are also no
9 detailed breakdowns of the dues or clear methodology identifying direct quantifiable benefits
10 to the ratepayers in this rate request for the portion of the dues that were included in regulated
11 utility operation accounts.

12 Q. Ms. Emery states in her rebuttal testimony that EEI membership provides direct
13 value to customers. Is her testimony sufficient to justify EEI dues under the Commission's
14 historical guidance?

15 A. No. While Ms. Emery lists general benefits like access to "industry-wide best
16 practices," "outage response and emergency coordination," and "collaboration on emerging
17 technologies," she fails to provide any quantifiable evidence or specific examples of how these
18 activities have led to tangible cost savings or improved service for Missouri ratepayers. As the
19 Commission articulated in Case No. EO-85-185's *Report and Order*:

20 [T]he Commission adopted a benefit standard which would allow EEI dues
21 if a direct benefit to the ratepayer could be shown...The Commission has
22 since refined that standard to include not only a direct quantifiable benefit
23 to the ratepayer, but also a method of allocating the expenses between
24 shareholders and the ratepayers once benefits have been quantified...

25 Ms. Emery's rebuttal testimony lacks the necessary details on the quantification and
26 allocation of EEI dues to comply with the Commission's guidance.

1 Q. Ms. Emery suggests that EEI's activities, similar to those of NARUC, should be
2 recoverable. What is your response to this comparison?

3 A. The comparison of EEI to the National Association of Regulatory Utility
4 Commissioners ("NARUC") is inapt and misleading. NARUC is a non-profit organization
5 whose primary purpose is to facilitate the professional development of state public utility
6 commissioners and staff. It does not engage in political lobbying on behalf of utilities. EEI, by
7 contrast, is a trade association for investor-owned utilities that has a long and well-documented
8 history of engaging in significant lobbying and public relations activities, which are primarily
9 aimed at benefiting its member companies and their shareholders, not ratepayers.

10 Q. What is Staff's position on lobbying and political expenses, and how does this
11 relate to EEI dues?

12 A. Staff's position, consistent with established Commission precedent, is that
13 lobbying, public relations, and political advocacy expenses are not a proper cost to be borne by
14 ratepayers. These activities serve the interests of the company's owners and should be paid for
15 by shareholders. Because a substantial portion of EEI's activities are demonstrably political and
16 advocacy-oriented, Staff maintains that the dues, or at least a significant portion thereof, should
17 be removed from the cost of service.

18 Q. Have there been previous Commission decisions that support the disallowance
19 of EEI dues?

20 A. Yes. The Commission has a history of disallowing or significantly reducing the
21 recovery of EEI dues. As stated in my direct testimony³, guidance regarding EEI dues can be
22 found in Case Nos. ER-81-42, ER-82-66, and EO-85-185. The Commission has not issued any

³ Lindsey Smith, Direct Testimony, ER-2024-0261, pages 9-10.

1 Orders that allowed EEI dues as an expense nor have EEI dues been litigated before this
2 Commission since the direction provided by the three orders from the 1980's. The Commission
3 has consistently ruled that generalized claims of "best practices" or "industry collaboration" are
4 not sufficient to justify charging ratepayers for an organization that is heavily involved in
5 lobbying and advocacy. The burden of proof lies with Empire to show that these dues are a
6 direct, quantifiable benefit to ratepayers, and they have failed to meet that burden in this case.

7 Q. What is your final recommendation to the Commission regarding the
8 disallowance of EEI dues from the revenue requirement?

9 A. I strongly urge that the Commission maintain Staff's recommended adjustment
10 to remove the portion of EEI dues left in the test year from Empire's cost of service. Empire
11 has not provided sufficient evidence to demonstrate that these dues provide a direct, quantifiable
12 benefit to Missouri ratepayers that would justify their recovery. Therefore, it is the burden of
13 the utility, not Staff, any other intervenor, nor this Commission, to justify inclusion of EEI dues
14 in the revenue requirement when no evidence has been provided for Staff, intervenors, or this
15 Commission to analyze. EEI dues are not necessary for the safe and adequate provision of utility
16 service. It is not enough for Empire to internally split EEI dues without additional justification
17 for ratepayers to bear the remaining cost. Allowing ratepayers to subsidize a utility lobbying
18 group would be inconsistent with Commission precedent and sound ratemaking principles.

19 **INTEREST ON CUSTOMER DEPOSITS**

20 Q. Please explain Empire witness Emery's rebuttal testimony regarding interest on
21 customer deposits.

1 A. Ms. Emery explains that Empire agrees with Staff's methodology used for
2 calculating customer deposit interest expense, but does not agree with Staff's use of the 2023
3 interest rate rather than the 2024 interest rate.

4 Q. What is Staff's response to this?

5 A. As stated in my direct testimony, page 6, lines 18-21, consistent with Empire's
6 tariff, Staff applied the prime interest rate published in the Wall Street Journal as being in effect
7 on the last business day of December of the prior year (7.50% at December 31, 2024) plus 1%,
8 for a total of 8.50%, to its recommended customer deposit balance.⁴ Staff did use the 2024
9 interest rate in their customer deposits interest rate analysis.

10 **MATERIALS AND SUPPLIES**

11 Q. How did Staff calculate an appropriate amount to include in the cost of service
12 for materials and supplies?

13 A. Staff examined each account individually to determine whether trends within an
14 individual account existed over time to determine an appropriate level that most accurately
15 reflected the ongoing future investment costs of a particular account that should be included in
16 rate base. Staff found there was no discernible trend in the accounts, therefore, a 13-month
17 average ending September 30, 2024, for each materials and supplies account excluding clearing
18 accounts was determined to be the most appropriate measure of the ongoing investment levels
19 and included in the cost of service.

20 Q. What is Empire witness Emery's recommendation for treatment of Empire's
21 materials and supplies rate base balance?

⁴ Empire Rules and Regulations, Tariff YE-2021-0041.

1 A. Ms. Emery states in her rebuttal testimony, page 7, lines 9-11, that “the
2 Company includes a 13-month average of its FERC 184 clearing accounts, which are an integral
3 component of the Company’s inventory accounting structure. Staff’s cost of service model
4 includes a 13-month average but excludes all clearing accounts entirely.”

5 Q. Why should clearing accounts be excluded in the rate base balance of materials
6 and supplies?

7 A. A clearing account is a temporary holding account used to accumulate costs that
8 will be allocated to a final destination account at a later date. These final destination accounts
9 are already included in Staff’s recommendation for materials and supplies. This creates a risk
10 of double-counting and a duplication of cost recovery by Empire. According to the Uniform
11 System of Accounts (“USOA”), the balances in clearing accounts should be zeroed out at the
12 end of the accounting period, with the costs transferred to their final destination.⁵ By definition,
13 clearing accounts represent costs in a state of transit, are no longer a material in Empire’s supply
14 rooms, but have not yet been expensed. This proposal essentially seeks to treat these temporary
15 balances as a permanent part of the Empire’s rate base. This would result in a violation of the
16 matching principle of ratemaking and an overstatement of Empire’s rate base, causing an unjust
17 enrichment at the expense of ratepayers.

18 Q. What is Staff’s final recommendation to the Commission regarding materials
19 and supplies?

20 A. Staff recommends the Commission reject Empire’s proposal to include clearing
21 account balances in the calculation of materials and supplies. This approach is inconsistent with
22 regulatory principles.

⁵ Citation to the USOA.

PAYROLL AND PAYROLL TAXES

Q. How did Staff determine the amount of payroll expense to include in the revenue requirement?

A. I conducted a multi-step analysis based on actual employee levels as of the end of the update period, September 30, 2024, to reach annualized levels of payroll costs for Empire's test year payroll expense. In short, I found the sum of total payroll allocated to Empire, added in overtime, applied the Cost Allocation Manual ("CAM") allocations, the Massachusetts Empire allocation,⁶ the Non-Wind Labor allocation, and the jurisdictional allocations, and then multiplied that amount by the Operations and Maintenance ("O&M") ratio to determine the level of expense to distribute to payroll expense accounts in Staff's Accounting Schedules.

Q. Please explain Empire witness Emery's opposition to Staff's payroll approach.

A. In Ms. Emery's rebuttal testimony, she states that Empire disagrees with the CAM and Massachusetts Empire allocations Staff used to calculate payroll expense, Staff computing the overtime percentage based upon overtime hours and costs incurred 12 months ending September 2024, and the exclusion of open positions from Staff's payroll expense analysis.

Q. What is Empire's recommendation for payroll expense?

A. In its direct case, Empire is recommending using a two-year average to normalize overtime expense in Staff's adjustment and the inclusion of open positions in the overall payroll expense.

⁶ The Massachusetts Formula used by Empire is used to allocate common costs that apply to the regulated activities of Empire, Empire Gas, and Fibercom. For further details concerning allocations see Angela Niemeier Direct Testimony, page 7.

1 Q. What is Staff's response to Ms. Emery's rebuttal testimony regarding
2 payroll expense?

3 A. Staff has reviewed Empire's claims and agrees that the incorrect CAM and
4 Massachusetts Empire allocations were used for direct filing. Staff will correct this issue during
5 the true-up process to ensure accurate data is being used. Staff otherwise remains consistent on
6 the methodology used to calculate payroll expense. Staff's use of a 12-month period ending
7 September 30, 2024, for overtime is the most accurate and representative approach for
8 forward-looking rates. Using a two-year average would incorporate historical data that may not
9 be reflective of current or future conditions. While overtime can be volatile, Staff's approach
10 captures the most recent operational patterns and is therefore the most appropriate for setting
11 rates for the future.

12 Empire's argument to include open positions in payroll expense is inconsistent with the
13 fundamental ratemaking principle of the known and measurable standard. A position that is
14 open and unfilled is, by definition, a speculative expense, not an actual known or incurred cost.
15 While Empire may budget for these positions, ratepayers should not be responsible for paying
16 for a service that is not currently being provided or used for safe and reliable service to Missouri
17 customers. Empire should not be allowed to include a cost in its revenue requirement for a
18 salary that has not been paid. This practice would lead to an overstatement of the company's
19 expenses and an over-recovery from ratepayers. The proper time to include these payroll costs
20 is when the positions are actually filled and Empire begins to incur the expense. Including open
21 positions would also assume that Empire is 100% staffed going-forward, when in reality,
22 Empire experiences regular turnover. This means there are always open positions at any given

1 point in time. Again, including open positions would lead to an overstatement of Empire's
2 expenses and an over-recovery from ratepayers for payroll expense.

3 Q. What is Staff's recommendation to the Commission for payroll expense?

4 A. Staff urges the Commission to adopt Staff's methodology for annualizing
5 payroll expense, with the agreed-upon adjustment to the allocation rates. Staff's approach for
6 overtime and open positions is consistent with established regulatory principles and uses the
7 most relevant and recent data.

8 **PAYROLL RELATED BENEFITS**

9 Q. How did Staff determine the level of payroll related benefits to include in Staff's
10 Accounting Schedules?

11 A. Staff reviewed the actual charges through the update period of September 30,
12 2024, and compared those costs to the test year and reflected an adjustment in Staff's
13 Accounting Schedules.

14 Q. Does Empire agree with Staff's level of payroll related benefits included in the
15 revenue requirement?

16 A. No. For the same reasons previously discussed above regarding payroll, Empire
17 does not agree with Staff's level of payroll related benefits included in the revenue requirement.

18 Q. What is Staff's final recommendation regarding employee benefits expense?

19 A. Staff recommends that the Commission adopt Staff's methodology for
20 annualizing employee benefits expense, with the agreed-upon adjustment to the allocation rates.
21 As I testified above regarding payroll, the most recent and reliable payroll data should be used
22 for overtime and including open position benefits would be inconsistent with the fundamental

1 ratemaking principle of the known and measurable standard as those employee benefits are not
2 being paid for a position that is currently vacant, resulting in an over-recovery from ratepayers.

3 **TRUE-UP DIRECT TESTIMONY**

4 Q. Did you update any revenue requirement adjustments to reflect data through the
5 true up period, 12 months ending March 31, 2025?

6 A. Yes. Using the same methodology described in my direct testimony and an
7 allocation change for payroll expense described above, I updated adjustments to reflect the
8 following items at the true-up:

- 9 • Cash Working Capital
- 10 • Customer Advances
- 11 • Customer Deposits and Interest Expense
- 12 • Materials and Supplies
- 13 • Payroll and Payroll Taxes
- 14 • Payroll Related Benefits
- 15 • Prepayments

16 Q. Did your methodology change in any of the adjustments listed above?

17 A. Yes. Staff noticed that some the employees on the roster at March 31, 2025,
18 were classified as inactive, short-term disability, or long-term disability. Upon further
19 discussions with Empire, Staff learned that the compensation provided to these employees by
20 Empire is not their full salary but rather “top up” payments. This supplement payment, when
21 combined with other forms of leave benefits, is intended to bring the employee’s total income
22 closer to their regular salary while they are on leave. To accurately reflect the ongoing cost of

1 service based on staffing levels as of March 31, 2025, the costs for these employees were
2 adjusted to the value of their “top up” payments they receive. This adjustment is new in Staff’s
3 true-up case and affects payroll, payroll benefits, and payroll taxes.

4 Q. Does this conclude your surrebuttal / true-up direct testimony?

5 A. Yes, it does.

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)
Authority to File Tariffs Increasing Rates)
for Electric Service Provided to Customers)
in Its Missouri Service Area)

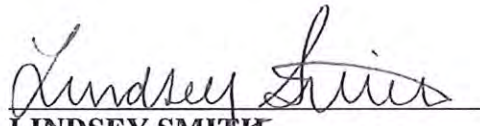
Case No. ER-2024-0261

AFFIDAVIT OF LINDSEY SMITH

STATE OF MISSOURI)
)
COUNTY OF Jackson) ss.

COMES NOW LINDSEY SMITH and on her oath declares that she is of sound mind and lawful age; that she contributed to the foregoing *Surrebuttal / True-Up Direct Testimony of Lindsey Smith*; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.


LINDSEY SMITH

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Jackson, State of Missouri, at my office in Kansas City, on this 8th day of September 2025.


Notary Public

