BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the 2025 Triennial Compliance	)	
Filing Pursuant to 20 CSR 4240-22 by The	)	Case No. EO-2024-0280
Empire District Electric Company d/b/a Liberty	)	

NOTICE OF JOINT AGREEMENT

COMES NOW The Empire District Electric Company ("Liberty" or the "Company"), and on behalf of itself, the Commission Staff ("Staff"), and Renew Missouri Advocates ("Renew Missouri"), respectfully submits this Notice of Joint Agreement.

1. Pursuant to Chapter 22 of the Rules of the Missouri Public Service Commission ("Commission"), Liberty submitted, on April 1, 2025, its triennial Electric Utility Resource Planning ("IRP") filing.

2. On August 29, 2025, the Staff Report was filed herein regarding Liberty's 2025 triennial IRP filing. Renew Missouri also submitted comments on August 29, 2025. The report by Staff and Renew Missouri's comments do not assert any deficiencies regarding Liberty's 2025 triennial IRP filing but do set forth certain concerns and requested remedies.

3. Pursuant to Rule 20 CSR 4240-22.080(9), "(i)f the staff, public counsel, or any intervenor finds deficiencies in or concerns with a triennial compliance filing, it shall work with the electric utility and the other parties to reach, within sixty (60) days of the date that the report or comments were submitted, a joint agreement on a plan to remedy the identified deficiencies and concerns."

4. Since the submission of Staff's report and Renew Missouri's comments, Liberty has discussed the issues with the parties, and agreement has been reached by the Company, Staff, and Renew Missouri regarding all items.

Staff's Concerns and the Joint Action Plans

Staff Concern A: The Realistic Achievable Potential ("RAP") level of Demand-Side Management ("DSM") savings in Empire's Preferred Resource Plan ("PRP") is inconsistent with the current level of DSM savings given that Empire does not currently offer DSM programs. To remedy this concern, Empire should update its Alternative Resource Plans ("ARPs") in its 2025 IRP Filing to remove DSM bundles from the plans to determine if Plan 4 is still appropriate as Empire's PRP.

Joint Resolution: DSM represented a fairly small portion of the total new resources in the IRP plans (e.g., around 10-20 MW by end of the planning horizon in most portfolios). For example, if the DSM savings are removed from Plan 4 (the preferred resource plan), the portfolio would not be significantly short of capacity until the winter of 2041, near the end of the study period, when it would be short by 14 MW or less per year. As a remedy, this issue was addressed in the Company's IRP preferred plan update filing made on October 16, 2025, in this docket. This update removed the demand-side programs throughout the planning horizon and extended the Elk River purchased power agreement ("PPA") until 2030. This PPA extension was executed after the IRP was initially filed, and the capacity from this PPA helps to cover any minor capacity shortfalls in the early years of the IRP that resulted from the removal of the demand-side programs. The Company will also report on this update to the preferred plan in its next IRP Annual update.

Staff Concern B: The enactment of the One Big Beautiful Bill ("OBBB") on July 4, 2025, significantly altered the tax landscape. Staff's understanding of the OBBB is that investment tax credits ("ITC") and production tax credits ("PTC") will no longer be available for wind and solar projects that are placed in service after December 31, 2027. However, a special transition rule provides that wind and solar projects that begin construction within one year of the OBBB enactment will still qualify for the ITC or PTC, even if placed in service after 2027. Empire's PRP includes 175 MW solar development being targeted to commission in 2028, however Empire is not certain that this project will proceed. The OBBB could greatly influence whether Empire moves forward with this solar project. Empire has a contingency plan in place from this IRP in case the solar project does not materialize. However, in its PRP, Empire has included 150 MW of utility-scale solar in years 2035 and 2041.

Joint Resolution: The OBBB was enacted after Empire filed its 2025 IRP. In remedy of this concern, Empire updated its IRP preferred plan with a filing made in this docket on October 16, 2025. The updated plan removed the 175 MW utility-scale solar project in the 2028 timeframe. The Company will continue to monitor the tax credit situation for renewable projects and report on this issue in the next IRP annual update and consider any changes to tax credits for solar and wind projects in future IRP studies.

Renew Missouri's Comments

Renew Missouri Comments: Comments were prepared by Renew Missouri staff and reflect "their organization's reactions to and opinions" on the Company's most recent 2025 IRP Report and materials. Renew Missouri offered comments on issues such as the Levelized Cost of Energy, Battery Storage and Distributed Energy Resources, and demand-side programs like PAYS® ("Pay As You Save"). Renew Missouri did not explicitly identify any deficiencies or concerns within their report as it pertains to the Commission's Chapter 22—Electric Utility Resource Planning Rule. Therefore, no remedies for the Renew Missouri Comments were required.

WHEREFORE, Liberty respectfully submits this Notice of Agreement and requests such relief as is just and proper under the circumstances.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 28th day of October, 2025, with a copy sent to all counsel of record.

/s/ Diana C. Carter