

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	)	<u>Case No. ER-2024-0261</u>
for Electric Service Provided to Customers	)	Tracking No. JE-2025-0127
In its Missouri Service Area	)	

ORDER GRANTING REQUEST FOR FURTHER EXTENSION OF TIME AND FURTHER SUSPENDING TARIFFS

Issue Date: November 14, 2025

Effective Date: November 14, 2025

The pending motion asks for a second extension of time to file briefs. This order grants the extension request and further suspends the tariffs.

On October 6, 2025,¹ a *Non-Unanimous Global Stipulation and Agreement* was filed and objected to. The Commission held an evidentiary hearing from October 14 through October 16. Subsequently, the Commissioners encouraged the parties to revisit the filed *Non-Unanimous Global Stipulation and Agreement*.

Initial briefs were originally due November 6, with reply briefs due November 14. On November 5, the parties² requested and were granted an extension of time to file briefs. Briefs are currently due November 17 and November 25, respectively.

On November 13, the parties filed *Joint Motion to Extend Procedural Deadlines* (Joint Motion), which requested a second extension to December 1 and December 8.

¹ All dates refer to 2025 unless otherwise stated.

² Parties refers to The Empire District Electric Company, Commission Staff, the Office of the Public Counsel, the Consumers Council of Missouri, the Midwest Energy Consumers Group, Renew Missouri, and Influent Energy. Not joining the Joint Motion were The Empire District Retired Members & Spouses Association, LLC, and IBEW Local Union 1474 – which have pending settlements separate from the *Non-Unanimous Global Stipulation and Agreement*.

Second Extension of Time for Briefs

The Commission's governing statutes direct that all orders be given a 30-day effective date.³ This means the Commission needs to approve a final order in this case on or before December 3. However, that statute also allows shortening the 30-day period by stating, "except as otherwise provided." The Missouri Supreme Court has determined that the Commission had authority to make an order effective ten days after its issuance date.⁴ A 10-day effective date would require an order be issued on or before December 23.

If a settlement is not filed, reply briefs being filed on December 8 only gives the Commission 15 days to read briefs and draft and vote on a Report and Order. A general rate case is among the most complex cases in utility regulation, and the Commission's experience indicates that 15 days would be insufficient to consider and write a decision in a full general rate case.

Operation of Law Date

The Commission previously suspended the tariffs in this case until January 2, 2026.⁵ The chosen date was representative of the 89 days' delay between the initial application for a rate increase and the corrected filing. By statute, the Commission is authorized to suspend the tariffs for 120 days plus six months. However, in setting January 2, 2026, as the operation of law date, the Commission suspended the tariffs for only 120 days plus 5 months and one week.

³ Section 386.490, RSMo (2016).

⁴ *State ex rel. Kansas City, Independence & Fairmount Stage Lines Co. v. Pub. Serv. Comm'n*, 63 S.W.2d 88, 93 (1933). See also *Harter v. Missouri Public Service Com'n*, 361 S.W. 3d 52, 57-58 (WD Appeals) 2011.

⁵ *Order Suspending Tariff*, issued March 5.

Conclusion

Even though encouraging settlement, the Commission must allow itself time to issue a decision in this matter should a settlement not be forthcoming. The Commission finds the Joint Motion's requested extension reasonable and will grant it. However, granting an extension to the briefing schedule will also require a further suspension of the tariffs to ensure the Commission has sufficient time to consider all the evidence and arguments of the parties and determine if the proposed tariffs are just and reasonable. For these reasons the Commission will further suspend the tariffs until January 26, 2026.

THE COMMISSION ORDERS THAT:

1. The Joint Motion is granted. The deadlines for briefing are extended as follows:
 - Initial Briefs shall be filed no later than December 1, 2025; and
 - Reply Briefs shall be filed no later than December 8, 2025.
2. The proposed tariff sheets, Tracking No. JE-2025-0127, filed by Liberty are further suspended to January 26, 2026.⁶
3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

⁶ Counting 120 days from the original tariff effective date of March 28 is July 26 – plus six months is January 26, 2026.

Charles Hatcher, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

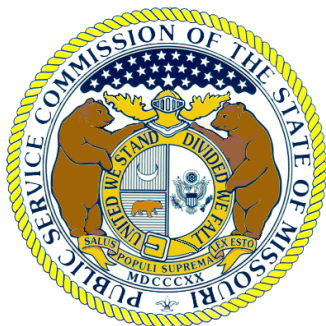
Dated at Jefferson City, Missouri,
on this 14th day of November, 2025.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 14th day of November 2025.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 14, 2025

File/Case No. ER-2024-0261

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.