

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

In the Matter of the Clarification of PPA)
Replacement Values for The Empire District) **File No. EO-2026-0101**
Electric Company's d/b/a Liberty's Market)
Price Protection Mechanism)

PROPOSED PROCEDURAL SCHEDULE

COMES NOW Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and respectfully states as follows:

1. On November 14, 2025, the Commission issued its *Order Directing the Filing of Proposed Procedural Schedule*,¹ directing Staff to file a proposed procedural schedule on behalf of the parties no later than December 5, 2025.²

2. The Parties do not agree as to whether additional testimony should be permitted in this matter or that an evidentiary hearing is needed. The Empire District Electric Company (“Liberty” “Empire” and the “Company”) requests the opportunity to file new testimony. The Office of the Public Counsel (“OPC”) objects to the admission of new testimony on the ground that it is irrelevant and objects to a procedural schedule that allows for such evidence. Public Counsel asserts that the existing Commission orders and evidentiary records in Case Nos. EO-2018-0092, EA-2019-0010 and ER-2021-0312 relevant to the MPPM are what the Commission should review for further clarifying its intent, and that no evidentiary records in Case No. ER-2024-0261 or new evidence are relevant.

¹ The Commission opened this docket because the Parties have not agreed on how the appropriate PPA replacement values for the MPPM should be calculated.

² The Office of the Public Counsel, Empire, the Missouri Energy Consumer’s Group, and Renew Missouri indicated no objection to this filing. No other party submitted a response, and several advised Staff that they do not intend to take a position in this case.

3. The Commission indicated that it requires clarity on the agreement's interpretation, with the exception of Public Counsel, the parties have included placeholder dates for additional testimony in the procedural schedule solely to preserve procedural order. The Parties respectfully request that the Commission issue a ruling determining whether new testimony will be allowed, and if so, confirm or modify the proposed schedule.

4. Staff conferred with the Parties and, over Public Counsel's objection to dates for new testimony and an evidentiary hearing, respectfully submits the following procedural schedule for the Commission's consideration:³

Event	Date
Direct Testimony	January 30, 2026
Rebuttal Testimony	February 17, 2026
List of Issues, Order of Witnesses, and Order of Cross-Examination	February 24, 2026
Position Statements	March 4, 2026
Evidentiary Hearing	March 17, 2026
Post Hearing Brief	April 7, 2026

Public Counsel objects to their admission on the ground that they are irrelevant, but the other parties request that the following previously filed documents to this proposed procedural schedule either be admitted into the record or given administrative notice, waiving relevant re-authentications of the following relevant documents:

³ Staff does not take a position on whether the Commission should allow additional testimony.

EO-2018-0092

- 1) Report and Order – EFIS Item No. 228
- 2) Non-unanimous Stipulation & Agreement- Appendix A & Flow Chart – EFIS Item No. 101
- 3) Exhibit No. 208 - Affidavit of Lena M. Mantle in Opposition of the Non-Unanimous Stipulation and Agreement (Public and Confidential) – EFIS Item No. 172
- 4) Exhibit No. 210 - Affidavit of John S. Riley in Opposition of the Non-Unanimous Stipulation and Agreement – EFIS Item No. 174
- 5) Exhibit No. 1 - Affidavit of David Holmes – EFIS Item No. 138
- 6) Exhibit No. 351 - Supporting Affidavit of Greg R. Meyer – EFIS Item No. 192
- 7) Exhibit No. 103 - Staff Affidavit (Confidential) – EFIS Item No. 161
- 8) Transcript - Volume 3 (Evidentiary Hearing - Jefferson City, MO - May 9, 2018) – EFIS Item No. 182
- 9) Transcripts Volume 5 (Evidentiary Hearing - Jefferson City, MO - May 10, 2017) – EFIS Item No. 205
- 10) Transcript - Volume 7 (Evidentiary Hearing - Jefferson City, MO - May 11, 2018) – EFIS Item 187

EA-2019-0010

- 11) Report and Order – EFIS Item No. 168
- 12) Exhibit No. 4 - Surrebuttal Testimony of David Holmes with corrected pages (Highly Confidential) – EFIS Item No. 99
- 13) Exhibit No. 101 - Staff Rebuttal Report (Public and Highly Confidential) – EFIS Item Nos. 116 and 117
- 14) Exhibit No. 206 - Surrebuttal Testimony of Lena M. Mantle (Public and Highly Confidential) – EFIS Item Nos. 132 and 131
- 15) Exhibit No. 13 - Non-Unanimous Stipulation and Agreement (Public and Highly Confidential) – EFIS Item No. 144

16) Transcript - Volume 2 (Evidentiary Hearing - Jefferson City, MO - April 8, 2019) – EFIS Item No. 89

17) Transcript - Volume 4 (Evidentiary Hearing - Jefferson City, MO - April 9, 2019) – EFIS Item No. 93

ER-2021-0312

18) Order approving stipulations and agreements – EFIS Item No. 275

19) Fourth Partial Stipulation and Agreement (unopposed), with Ex. A (FAC Accounts) and Ex. B (FAC Tariff Sheets) – EFIS Item No. 208

20) Exhibit No. 203 - Direct Testimony of Lena M. Mantle (Public, Confidential and Highly Confidential) – EFIS Item No. 320

21) Exhibit No. 205 - Rebuttal Testimony of Lena M. Mantle (Public, Confidential and Highly Confidential) – EFIS Item No. 322

22) Exhibit No. 206 - Surrebuttal Testimony of Lena M. Mantle (Public and Confidential) – EFIS Item No. 323

23) Exhibit No. 10 - Direct Testimony of Aaron J. Doll (Public and Confidential) – EFIS Item No. 232

24) Exhibit No. 11 - Rebuttal Testimony of Aaron J. Doll – EFIS Item No. 233

25) Exhibit No. 12 - Surrebuttal Testimony of Aaron J. Doll – EFIS Item No. 234

26) Exhibit No. 119 - Rebuttal Testimony of J Luebbert (Public and Confidential) – EFIS Item No. 295

27) Motion in Response to Liberty's MPPM Notice Filing – EFIS Item No. 389

28) Response to OPC's MPPM Motion (Public and Confidential) – EFIS Item No. 391

29) Reply to Liberty's Response to OPC's Motion in Response to Liberty's MPPM Notice Filing – EFIS Item No. 392

30) Transcript - Volume 8 (Prehearing Conference - Jefferson City, MO via WebEx - December 19, 2023) – EFIS Item No. 394

ER-2024-0261

- 31) Exhibit No. 158 - Surrebuttal/True-Up Direct Testimony of Marina Gonzales (Public and Confidential) – EFIS Item No. 524
- 32) Exhibit No. 109 - Direct Testimony of Marina Gonzales (Public and Confidential) – EFIS Item No. 475
- 33) Exhibit No. 208 - Surrebuttal Testimony of Lena M. Mantle (Public and Confidential) – EFIS Item No. 555
- 34) Exhibit No. 207 - Rebuttal Testimony of Lena M. Mantle (Public and Confidential) – EFIS Item No. 554
- 35) Exhibit No. 206 - Direct Testimony of Lena M. Mantle (Public, Confidential and Highly Confidential) – EFIS Item No. 553
- 36) Exhibit No. 221 - Direct Testimony of Manzell Payne (Public, Confidential and Highly Confidential) – EFIS Item No. 568
- 37) Exhibit No. 222 - Rebuttal Testimony of Manzell Payne (Public and Confidential) – EFIS Item No. 569
- 38) Exhibit No. 223 - Surrebuttal Testimony of Manzell Payne (Public, Confidential and Highly Confidential) – EFIS Item No. 570
- 39) Exhibit No. 11 - True-Up Rebuttal Testimony of Aaron J. Doll – EFIS Item No. 414
- 40) Exhibit No. 10 - Surrebuttal and True-Up Direct Testimony of Aaron J. Doll (Public and Confidential) – EFIS Item No. 413
- 41) Exhibit No. 9 - Rebuttal Testimony of Aaron J. Doll (Public and Confidential) – EFIS Item No. 412
- 42) Exhibit No. 8 - Direct Testimony of Aaron J. Doll – EFIS Item No. 411
- 43) Order Directing the Signatories to Address PPA Replacement Values in Liberty's Rate Case (Copied from ER-2021-0312) – EFIS Item No. 2

WHEREFORE, on behalf of the parties, Staff respectfully proposes this procedural schedule in compliance with the Commission's November 14, 2025, order. The Parties request that the Commission determine whether additional testimony will be permitted and whether an evidentiary hearing will be held, and if additional testimony is permitted, that the Commission approve the proposed filing dates or establish alternative dates that the Commission deems proper, and to grant any further relief that the Commission deems just and reasonable.

Respectfully submitted,

/s/ Eric Vandergriff

Eric Vandergriff

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all parties and/or counsel of record on this 5th day of December, 2025.

/s/ Eric Vandergriff