BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)	
White River Valley Electric Cooperative, Inc.)	Case No. EO-2025-0228
For Approval of Designated Service Boundaries)	
Within Portions of Christian County, Missouri)	

RESPONSE TO OFFICE OF PUBLIC COUNSEL'S OBJECTION TO STIPULATION AND AGREEMENT

COMES NOW The Empire District Electric Company d/b/a Liberty ("Liberty" or the "Company") and responds as follows to the Objection to Stipulation and Agreement filed by the Office of Public Counsel in the above captioned docket:

- 1. This matter arises out of an application filed by the White River Valley Electric Cooperative ("White River") which seeks Commission authority to serve certain newly annexed land in Ozark, Christian County, Missouri (the "Application"). Liberty intervened in the docket on the basis that it would be the electric service supplier to the property which is the subject of the Application absent a Commission decision in favor of White River. During the course of the proceeding, White River and Liberty reached an agreement with respect to the Application, pursuant to which White River would be the exclusive electric service provider for the Warren property which is being developed into Ozark Marketplace along with certain exclusive service areas in Christian and Taney counties and Liberty would be granted certain exclusive service areas in other portions of Christian and Taney counties, all subject to the Commission's approval.
- 2. On December 17, 2025, OPC filed an Objection to the Stipulation and Agreement, arguing that "[i]t would not be appropriate to permit an investor-owned utility, especially one experiencing the problems that Liberty currently has, to intervene and demand a customer trade from White River." OPC Objection at ¶12.

- 3. OPC's characterization of the matter as a "demand[ed]...customer trade" is not an apt characterization. The Company has a cognizable interest in this docket, which the Commission recognized when it granted its unopposed motion to intervene. Over the course of the proceeding, White River and Liberty, both represented by counsel, negotiated a resolution of the issues in dispute such that the interests of both White River and Liberty would be satisfied. It is this very type of resolution that should be favored, where parties work constructively to resolve matters that meet both of their interests. OPC's suggestion that there is something untoward about the negotiation of the Stipulation and Agreement is misplaced.
- 4. OPC then requests that the Commission take punitive action against the Company by denying the Stipulation and Agreement so that the Company does not have the opportunity to serve new customers in the future because of its recent billing issues. The Commission should deny OPC's request. The Company has been working assiduously to address its billing issues which is documented in the recent Supplemental Stipulation filed in ER-2024-0261. Further, it is in all customers' interests to expand the Company's customer base through agreements such as the one before the Commission in this docket. Any future increase in the Company's customer base will result in the ability to spread operating costs across more customers, further improving efficiencies of service.

WHEREFORE, Liberty respectfully requests that the Commission deny OPC's Objection and approve the Stipulation and Agreement and grant such other relief as is just and equitable.

Respectfully submitted,

THE EMPIRE DISTRICT ELECTRIC COMPANY

/s/ Sarah B. Knowlton
Sarah B. Knowlton MBE #71361
Senior Vice President & General Counsel, Liberty Utilities
116 North Main Street
Concord, New Hampshire 03301

Phone: 603-327-9857

E-Mail: Sarah.Knowlton@LibertyUtilities.com

CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 29th of December, 2025, with notification of the same being sent to all counsel of record. This filing was also sent by electronic transmission to all counsel of record.

/s/ Sarah B. Knowlton