

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

In the Matter of the Application of)
The Empire District Electric Company for an)
Order Granting Approval to Encumber Assets) Case No. _____
in Association with the DOE GRIP Program)

**APPLICATION FOR APPROVAL TO ENCUMBER ASSETS, REQUEST FOR
WAIVER, AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty,” the “applicant,” or the “Company”), pursuant to RSMo. §393.190.1 and Missouri Public Service Commission (“Commission”) Rules 20 CSR 4240-2.060, 20 CSR 4240-10.105, and 20 CSR 4240-4.017(1), and submits this Application for Approval to Encumber Assets, Request for Waiver, and Motion for Expedited Treatment regarding the Company’s distribution automation project and grant requirements of the U.S. Department of Energy (“DOE”).

Introduction and Motion for Expedited Treatment

1. RSMo. §393.190.1 provides that no “electrical corporation . . . shall hereafter sell, assign, lease, transfer, mortgage or otherwise dispose of or encumber the whole or any part of its franchise, works or system, necessary or useful in the performance of its duties to the public . . . without having first secured from the commission an order authorizing it so to do.”

2. The Grid Resilience and Innovation Partnerships (“GRIP”) program is a federal infrastructure grant program administered by the DOE and enabled by the 2021 Infrastructure Investment and Jobs Act (“IIJA”). Investor-owned utilities like Liberty were able to submit project applications for federal matching funds of up to 50% of project costs in two areas, including smart grid grants, which sought projects grounded in advanced technology solutions including new devices, materials, engineering designs, or software tools. As explained below, one grant funding requirement is the execution of a UCC financing statement in favor of the DOE on project assets.

3. In the smart grid category, the Company proposed an initiative known as “Project DA” to deploy distribution automation (“DA”) equipment across its service territory while also renewing and upgrading its line and station infrastructure to support new DA functionalities.

4. Before submitting the application, the Company reached out to the Missouri Office of the Public Counsel (“OPC”). OPC provided a letter of support, which was included in the grant submission package. Liberty provided information on this project and the DOE’s GRIP grant process in Commission Docket No. AW-2023-0156.

5. On February 24, 2026, Liberty obtained further authorization from the DOE to proceed in accordance with the Project DA objectives and the terms and conditions of the GRIP award.

6. With regard to its request for expedited treatment on its application for approval to encumber assets, Liberty asks that the Commission act as soon as reasonably possible so that the Company may move forward with Project DA. Customers will benefit by the Commission acting promptly, as it will allow the Company to move forward with the GRIP grant process and begin implementing Project DA immediately, allowing for a more reliable customer experience while making use of the grant funding. There will be no negative effect on Liberty’s customers or the general public by the Commission’s approval of this request.

7. This application was filed as quickly as possible following the Company’s risk assessment associated with the GRIP program and the likelihood of grant funding remaining in place for Project DA.

General Information

8. Pursuant to Rule 20 CSR 4240-2.060, Liberty states that the applicant is a Kansas corporation with its principal office and place of business at 602 S. Joplin Ave., Joplin, Missouri;

and is qualified to conduct business and is conducting business in Missouri, as well as in the states of Arkansas, Kansas, and Oklahoma. The applicant is an “electrical corporation” and a “public utility” and, therefore, is subject to the general regulatory jurisdiction of the Commission as provided by law and is engaged, generally, in the business of generating, purchasing, transmitting, distributing, and selling electricity in portions of the referenced four states.

9. The applicant’s documents of incorporation from Kansas and certificate of authority from Missouri were previously filed with the Commission in Case No. EF-94-39. These documents are incorporated by reference.

10. Liberty has no overdue Commission annual reports or assessment fees. Other than actions pending before this Commission, there is no pending action or final unsatisfied judgment or decision against the applicant from any state or federal agency or court which involves customer service or rates, which action, judgment, or decision has occurred within three years of the date of this filing.

Specific Requirements of Rule 10.105

11. Pursuant to Rule 20 CSR 4240-10.105(A) and (B), the DOE Assistance Agreement is attached hereto. As noted therein, the DOE reimbursement process includes execution of a UCC financing statement granting the DOE a secured interest in the project equipment.

12. Project DA contemplates a significant digitalization of the Company’s field operations by deploying approximately 300 auto-recloser devices equipped with the Fault Location, Isolation, and Restoration (“FLISR”) technology, with 270 of the devices in Missouri. The intended project footprint spans all four neighboring states served by Liberty (Missouri, Kansas, Arkansas, and Oklahoma). As with the Company’s distribution system footprint, the largest portion of the project work is expected to take place in Missouri.

13. Auto-reclosers will be arranged in clusters located at the physical junctures of adjacent distribution trunk feeders, which will enable them to automatically restore power to portions of feeders affected by outages of a certain type by establishing an alternate power supply path from an adjacent feeder through pre-arranged automated sequences of opening and closing. To enable appropriate automatic action and Company response when devices operate, the Company will also deploy field communications equipment in support of each cluster of auto-recloser devices.

14. Along with deployment of auto-reclosers, the project scope includes conductor capacity rating upgrades in the vicinity of the auto-recloser installations when doing so is deemed necessary or beneficial based on feeder loading analysis. Project plans also include capacity upgrades to several distribution substations to enhance their ability to temporarily absorb the load transferred from faulted feeders and enable general future load growth.

15. Plans for each of the major project scope components, including DA devices, feeder renewal and hardening, and substation and feeder capacity upgrades, have been in place for some time and previously socialized through the Company's PISA update reports and Integrated Resource Plans.

16. Once the project costs have been placed in-service, the Company will seek regulatory recovery of the prudently incurred project costs that are not covered by the DOE grant contributions from the four retail jurisdictional regulatory bodies. The amounts sought for recovery in each jurisdiction will be allocated based on direct assignment or in accordance with the jurisdictional allocation approach the Company has typically used for rate making purposes.

17. Throughout the construction process, the DOE grant process will be in place; and the UCC financing statement in favor of the DOE must be on file. Out of an abundance of caution,

and pursuant to RSMo. §393.190.1, Liberty seeks an order of the Commission authorizing Liberty to execute the UCC financing statement in favor of the DOE for the Company's Project DA assets.

18. A UCC financing statement does not transfer ownership. As such, pursuant to Rule 20 CSR 4240-10.105(F), Liberty notes that there will be no impact on the tax revenues of the political subdivisions in which any Project DA structures, facilities, or equipment are located.

Request for Waiver

19. Liberty has not filed a 60-day notice pursuant to 20 CSR 4240-4.017(1) and requests a waiver of this requirement. Rule 20 CSR 4240-4.017(1)(D) provides that a waiver may be granted for good cause. Good cause exists in this case. Liberty declares (as verified below) that it has had no ex parte communication with the office of the Commission (as defined by Commission Rule 20 CSR 4240-4.017(1)(D)) within the prior 150 days regarding any substantive issue likely to be in this case. Accordingly, for good cause shown, Liberty moves for a waiver of the 60-day notice requirement of Rule 20 CSR 4240-4.017(1) and acceptance of this Application at this time.

WHEREFORE, Liberty respectfully requests, for good cause shown, that the Commission grant its Application for Approval to Encumber Assets, Request for Waiver, and Motion for Expedited Treatment, waiving the prefiling notice requirement of 20 CSR 4240-4.017(1) and issuing its order, on an expedited basis, authorizing Liberty to execute a UCC financing statement in favor of the DOE for the Company's Project DA assets.

Respectfully submitted,

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 27th day of February, 2026, and sent by electronic transmission to the Staff of the Commission and the Office of the Public Counsel.

/s/ Diana C. Carter

VERIFICATION

On behalf of The Empire District Electric Company, and pursuant to Commission Rules, the undersigned, upon his oath and under penalty of perjury, hereby states that the Company is properly authorized to make this filing and that the filing is true and correct to the best of his information, knowledge, and belief.

/s/ Tim Wilson
President, Electric