

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of The)
Empire District Electric Company d/b/a)
Liberty for a Certificate of Convenience) **Case No. EA-2025-0299**
and Necessity to Support Resource)
Adequacy)

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: April 2, 2026

Effective Date: April 2, 2026

On March 30, 2026, the Staff of the Commission filed a *Proposed Joint Procedural Schedule* on behalf of all parties.

The Commission has reviewed the proposed procedural schedule, finds it reasonable, and will adopt it, with only slight variations. In addition, the Commission will address additional procedural matters.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:¹

April 9	Procedural Conference
April 16	Local Public Hearing
April 29	Discovery Conference
May 7	Rebuttal Testimony/Staff Report in Lieu of Rebuttal
May 13	Discovery Conference
May 27	Surrebuttal/Cross-Surrebuttal Testimony
June 2	Settlement Conference

¹ All dates refer to the year 2026.

June 3	List of Issues, List of Witnesses, and Order of Opening Statements, Witnesses, and Cross-Examination
June 10	Last Day to Request Discovery
June 10	Position Statements; List of Exhibits
June 16-17	Evidentiary Hearing
June 22	Transcripts
July 10	Initial Briefs
July 17	Reply Briefs
August 12	Report and Order ²

2. The parties shall appear by Webex video or phone at a procedural conference to be held on Thursday, April 9, 2026, at 3:00 p.m. The parties will be e-mailed information on how to join the conference.

3. The Commission will hold an evidentiary hearing on June 16-17, 2026, beginning at 1:00 p.m. on the first day. The hearing may break for up to an hour during the afternoon of June 17 for Commission matters.

4. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

² The Commission includes this date as the target date for issuance but is not bound by it.

5. The parties shall comply with the following procedural requirements:
 - a. For written testimony, all parties must comply with the requirements of Commission Rule 20 CSR 4240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.
 - b. Although not all parties may agree upon how each issue should be described or on whether a listed issue is, in fact, a proper issue in this case, the parties shall agree upon and file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The Commission will view any issue not contained in this list of issues as not requiring resolution by the Commission.
 - c. Each party shall file a simple and concise statement summarizing its position on each disputed issue. Position statements shall track the list of issues. Any position statement shall set forth any order requested, cite any law authorizing that relief, and allege facts relevant under the law with citations to any prefiled testimony in support.
 - d. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.
 - e. Copies of prefiled testimony and documents served upon the parties before the evidentiary hearing need not be provided to the court reporter for marking as exhibits where the record clearly identifies the prefiled testimony and documents that are made hearing exhibits. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each other party.
 - f. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel by electronic means and in electronic form, essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not already exist in electronic format into electronic format.
 - g. Public documents filed in the Commission's Electronic Filing and Information System (EFIS) shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. Confidential

documents may be obtained from EFIS and so those documents do not need to be served via e-mail.

- h. Counsel for each party shall receive electronically from all other parties serving a data request, an electronic copy of the text of the “description” of that data request contemporaneously with service of the data request. Data requests issued to or by Staff shall be submitted and responded to in EFIS, if feasible, or in electronic format on compact disc, or by other means agreed to by counsel, if infeasible. Also, regarding Staff-issued data requests, if the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. Data requests, objections to data requests, and notifications respecting the need for additional time to respond to data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party’s employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous, as defined by Commission rule. Liberty shall submit the responses to Staff data requests in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible.
- i. The parties shall make an effort to not include confidential information in data requests. If confidential information must be included in a data request, the confidential information shall be appropriately designated as such pursuant to Commission Rule 20 CSR 4240-2.135. If highly confidential information must be included in a data request, the highly confidential information shall be appropriately designated as such.
- j. The response time for all data requests shall be twelve (12) calendar days, with three (3) business days to object or notify the requesting party that more than twelve (12) calendar days will be needed to provide the requested information. From and after rebuttal testimony is filed (May 7, 2026) the response time for all data requests shall be five (5) calendar days, with two (2) business days to object or notify the requesting party that more than five (5) calendar days will be needed to provide the requested information.
- k. Discovery conferences will be held either virtually via phone and/or computer or at the Commission’s office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri in Room 305 or a room to be

designated by the Commission. Each discovery conference will begin at 10:00 a.m.

- l. Not less than three business days before each discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.
- m. Discovery conferences shall be on the record and will be transcribed by a court reporter, if requested by the parties.
- n. Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.
- o. Commission Rule 20 CSR 4240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.
- p. Workpapers prepared in the course of developing a testimony shall not be filed with the Commission but shall be submitted to each party within two (2) business days following the filing of the testimony document, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.
- q. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.
- r. The Settlement conference provided for in the procedural schedule is designed to facilitate information sharing and encourage settlement, but does not impose on any party the obligation to participate.

s. Exhibit numbers are assigned in the following manner:

Liberty	1-99
Commission Staff	100-199
Office of the Public Counsel	200-299
Renew Missouri	300-399

Exhibits shall be marked as set forth in Commission Rule 20 CSR 4240-2.135(10)(C). For example, public Exhibit 2 would be marked as Exhibit 2, whereas the confidential version of Exhibit 2 would be marked as Exhibit 2C.

6. This order is effective when issued.



BY THE COMMISSION

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

Nancy Dippell
Secretary

Kenneth J. Seyer, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri
on this 2nd day of April, 2026.

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 2nd day of April 2026.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 2, 2026

Case No: EA-2025-0299

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).¹

Sincerely,



**Nancy Dippell
Secretary**

¹

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