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BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI
TRANSCRIPT OF PROCEEDINGS
PROCEDURAL CONFERENCE

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

THURSDAY, APRIL 9, 2026
3:00 p.m.

Jefferson City, MO
via WebEx

VOLUME 1

JOHN CLARK, Presiding
SENIOR REGULATORY LAW JUDGE

KAYLA HAHN, Chair,
MAIDA J. COLEMAN,
GLEN KOLKMEYER,
JOHN MITCHELL,
COMMISSIONERS

Transcribed by:
Valene Enock

1 THE COURT: Today's date is April 9th of
2 2026 and the current time is 3:00 p.m. The Commission
3 has set aside this time for a procedural conference via
4 Webex in the case captioned as In the Matter of the
5 Application of the Empire District Electric Company,
6 doing business as Liberty for a Certificate of
7 Convenience and Necessity to Support Resource Adequacy.
8 And that is file number EA-2025-0299.

9 My name is John Clark. I'm the
10 regulatory law judge filling in for Judge Seyer today in
11 this matter. I'm going to begin by asking the attorneys
12 to enter their appearances for the record, starting with
13 Liberty.

14 MS. CARTER: Diana Carter for Liberty.

15 THE COURT: Thank you. On behalf of
16 staff?

17 MR. GRAHAM: Paul Graham for the staff of
18 the Missouri Public Service Commission.

19 THE COURT: Thank you, Mr. Graham. And
20 on behalf -- on behalf of the Office of Public Counsel?

21 MS. VANGERPEN: Good afternoon. Lindsay
22 VanGerpen on behalf of the OPC.

23 THE COURT: And on behalf of Renew
24 Missouri?

25 MS. MARS: Nicole Mers for Renew

1 Missouri.

2 THE COURT: Okay. I'm not expecting
3 anyone else. I didn't see anybody else listed in the
4 case. Is there anybody else here who is an attorney?
5 Okay. Hearing none, let's move on. I'll remind
6 everybody that the presiding officer can rule on
7 procedural and substantive issues at a pre-hearing
8 conference pursuant to 20 CSR 4240-2.090, subsection 6.

9 I've had a little bit of a chance to look
10 over this case, but I'm not hugely familiar with it. My
11 understanding is that we are a few days into a
12 procedural schedule that was at one point extended, so -
13 - because there was some supplemental direct that was
14 coming. And my understanding from Judge Seyer is that,
15 Mr. Graham, you requested the -- this conference. Is
16 that correct?

17 MR. GRAHAM: That's correct, Your Honor.

18 THE COURT: You want to tell me why?

19 MR. GRAHAM: Yes. It was basically, Your
20 Honor, to give the commission a heads up. If you look
21 at the date that the case is set for hearing, it's set
22 to begin on the 16th at noon. And that was to
23 accommodate OPC's conflict that date. And it runs on
24 into the 17th.

25 There were a lot of moving parts, as you

1 can imagine, in the negotiation or the discussions that
2 led to this. And I wanted to alert the commission that
3 staff is unlikely to have any of its witnesses available
4 on the first day of the hearing. I did not surmise that
5 that would be a problem since the staff does not have
6 the burden of proof and will not be going forward on
7 that day.

8 But I didn't want to be sitting there at
9 10 or 11 o'clock in the morning that day trying to
10 explain to the judge why I didn't have any witnesses
11 available. Our witnesses, staff's witnesses, will all
12 be available the next day. But they've got to -- we, we
13 set this case early to accommodate Liberty.

14 Liberty may not see it that way. I'm not
15 asking for Liberty to agree that we set it early, but we
16 -- Liberty did want to have this hearing and to dispose
17 this, this case as soon as possible, so we pushed it up.
18 In the mind of staff, it was pushed up pretty hard
19 against staff's other conflicts, but we endeavored to
20 work with the parties on this as did OPC.

21 And, and OPC did advise the commission
22 that it wouldn't be available till noon. We set the
23 case that way. But I wanted to have this conference to
24 advise the, the commission on this because, you know, I
25 was up there a few years and I know what you're doing in

1 order to get ready for one of these hearings.

2 And I wanted to let you know early,
3 rather than a few days before the hearing, that we may
4 be taking all sorts of witnesses out of order in the
5 case. So that's all I ask this -- ask for this, this
6 procedure for.

7 THE COURT: Okay. Well, let me -- let me
8 ask a question. As I said, my familiarity with the case
9 is kind of confined to these last few pleadings while
10 I've tried to get just enough information to do this
11 conference. Did Liberty request that this case be
12 resolved or that the commission issue an order by a
13 certain day?

14 MR. GRAHAM: I'll let -- may -- Diana,
15 would you like to respond to that? I don't recall. I
16 don't think so, but --

17 THE COURT: Because that question was --

18 MR. GRAHAM: Yeah. Well, it's, it's in
19 the procedural order that is, is there now. They did
20 request in the procedural order that you issue a order
21 by that date. I believe that is in the current order.
22 Diana, do you have something to offer?

23 MS. CARTER: No. That's right, Judge.
24 We had -- we had asked to have an order by a certain
25 date, and it's stated in the procedural schedule as a --

1 as a goal from the party side not on --

2 THE COURT: That's August 12th. Correct?
3 I'm sorry.

4 MS. CARTER: Yeah.

5 THE COURT: I talked over you. I
6 apologize. That is August 12th. Correct?

7 MS. CARTER: (nods yes.)

8 THE COURT: All right. Well, this really
9 should be pretty simple. Are there any parties that
10 would object to taking witnesses out of sequence? Is --
11 this is a CCN case. Is there an anticipation that
12 there's going to be a lot of issues in this case?

13 MR. GRAHAM: Well, not a lot of issues,
14 but some big issues.

15 THE COURT: I understand some big issues,
16 I just --

17 MR. GRAHAM: But multiple issues. I, I
18 can't see how there's going to be 50 or 60 issues or
19 anything like that.

20 THE COURT: Yeah. And that was my
21 question in regards to if you just got -- if you've got
22 a lot of different moving issues and you have witnesses
23 that are testifying on multiple issues, then it can get
24 a little confusing. But if it's just a few witness --
25 or a few issues and a, a few witnesses taken out of

1 sequence, I don't think it kind of disrupts an
2 understanding of what is going on, so.

3 MR. GRAHAM: But that --

4 THE COURT: Ms. Mers?

5 MS. MERS: If I can suggest, I believe
6 that the parties intend, or at least this is the hopeful
7 goal of the parties, is to have a list of issues that
8 would track some of the more recent natural gas CCNs
9 that would be similar to this case, such as Ameren and
10 Evergy.

11 THE COURT: Okay. And I feel like I just
12 asked this, but I honestly can't -- are there any
13 objections to taking witnesses out of sequence? I hear
14 none. Well, that seems to -- this may be one of the
15 shorter procedural conferences. If there are no
16 objections, I don't have any issues with it. I can't
17 see that Judge Seyer would either.

18 So when you're putting together order of
19 witnesses, list of issues, and all of that, which I
20 believe is due on June 3rd, when you're doing that, if
21 you'll just let me know which or let Judge Seyer know
22 which, which witnesses are going to be taken out of
23 sequence, what day they're going to be on, an a.m. and
24 p.m. might be nice, and what issue they will be
25 backtracking to testify on that is out of sequence

1 because they may be testifying on multiple issues.

2 Okay. Is there anything else?

3 MR. GRAHAM: Not from -- not from staff,
4 Your Honor.

5 THE COURT: Thank you, staff. Liberty?

6 MS. CARTER: Nothing, Judge. Thanks.

7 THE COURT: Anything from the Office of
8 Public Counsel?

9 MS. VANGERPEN: Not at this time.

10 THE COURT: Renew Missouri?

11 MS. MERS: No, no. Thank you.

12 THE COURT: Okay. Well, thank you all
13 for appearing at this conference and taking the time to
14 do that. For the party's information, I believe there
15 is a local public hearing -- a virtual local public
16 hearing in this case on the 16th at 6:00 p.m.

17 Judge Seyer will be out of the office
18 then I will also be conducting that local public
19 hearing. At least that's what's anticipated at this
20 point. All right.

21 MS. CARTER: I have a question on that,
22 Judge --

23 THE COURT: Yes. Okay.

24 MS. CARTER: -- if I can. 6:00 p.m. --

25 THE COURT: I, I know -- I know less

1 about that than I do.

2 MS. CARTER: Okay. Well, you don't have
3 to answer it. I'll just try asking it. We are set to
4 start at 6:00 p.m. with the Q and A part. Is there a
5 goal for starting the actual hearing part?

6 THE COURT: No. There, there is not. I
7 mean, usually, usually, we like to keep those to no more
8 than an hour if possible. But my feeling on local
9 public hearings is that the more questions that can be
10 answered before the comment period starts, the better.

11 So that -- that's my opinion in regard to
12 that. But -- so I would expect, you know, that if it's
13 -- if it's running -- you know, if we're looking at an
14 hour and 15 minutes, then you, you may see the
15 commissioners kind of want to go ahead and start.

16 MS. CARTER: Thank you.

17 THE COURT: All right. Thank you very
18 much. And we are adjourned.

19 (End of audio recording.)
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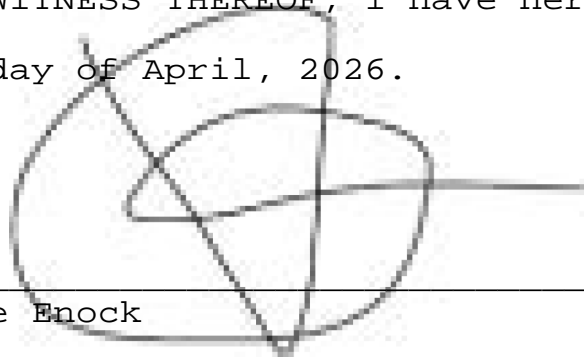
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I, VALENE ENOCK, do hereby certify:

That said audio transcription is a true record as reported by me, a disinterested person.

I further certify that I am not interested in the outcome of said action, nor connected with, nor related to any of the parties in said action, nor to their respective counsel.

IN WITNESS THEREOF, I have hereunto set my hand this 12th day of April, 2026.



Valene Enock

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