



## TABLE OF CONTENTS

<b>Testimony</b>	<b>Page</b>
Introduction	1
Air Permit Requirements	2

**REBUTTAL TESTIMONY**

**OF**

**JILL S. WADE**

**THE EMPIRE DISTRICT ELECTRIC COMPANY D/B/A LIBERTY UTILITIES**

**CASE NO. EA-2025-0299**

1 **I. INTRODUCTION**

2 **Q. What is your name and what is your business address?**

3 A. Jill S. Wade, PO Box 2230, Jefferson City, Missouri 65102.

4 **Q. By whom are you employed and in what capacity?**

5 A. I am employed by the Missouri Office of the Public Counsel (“OPC”) as a Professional  
6 Engineer.

7 **Q. Have you previously provided testimony before the Missouri Public Service  
8 Commission?**

9 A. No. This is my first opportunity to testify in front of the Missouri Public Service  
10 Commission (“Commission”).

11 **Q. What is your work and educational background?**

12 A. A copy of my work and educational experience is attached to this testimony as Schedule  
13 JSW-R-1. Prior to my current position with OPC, I was employed as a Professional  
14 Engineer with the Air Pollution Control Program (“APCP”) Planning section. In this  
15 position I drafted revisions to the State Implementing Plan, prepared comments on EPA  
16 actions and proposed rules and led a team implementing a federal grant program to reduce  
17 greenhouse gas emissions. Other relevant prior experience includes 14 years in the APCP  
18 Permitting Section where I predominantly drafted Title V operating permits for industrial,  
19 commercial and institutional facilities in Missouri including for regulated utility facilities,  
20 municipal utilities and other energy producers, and another five years in the Air Quality  
21 Analysis Section evaluating emissions data from these sources.

22 **Q. What is the purpose of your rebuttal testimony?**

23 A. The purpose of this testimony is to provide information related to my concerns about The  
24 Empire District Electric Company d/b/a Liberty’s (“Liberty”) delay in obtaining the

1 required air construction permit which could delay construction and increase the project  
2 cost.

3 **II. AIR PERMIT REQUIREMENTS**

4 **Q. What are the air permitting requirements for Liberty’s proposed 250 MW F-class  
5 combustion turbine (“CT”)?**

6 A. Though I am not an attorney, based on my prior experience it is my understanding that  
7 Liberty is required to apply for and obtain a construction permit pursuant to 40 CFR §52.21  
8 and 10 CSR 10-6.060(8) for a Major Permit in an Attainment Area, otherwise known as a  
9 “section (8) permit” or a Prevention of Significant Deterioration (“PSD”) permit.

10 **Q. What are the steps involved in obtaining a PSD permit?**

11 A. At least thirty (30) days prior to applying for a PSD permit, a preapplication meeting is  
12 required between APCP permitting staff and the applicant. This meeting is an opportunity  
13 to discuss the nature of and apparent requirements for the forthcoming permit application,  
14 such as ambient air quality monitoring and modeling requirements. Following the  
15 preapplication meeting, the applicant will submit an application package and filing fee.  
16 The APCP has thirty (30) days from the receipt of the permit application to deem it  
17 complete or request additional information. The application will be assigned to a permitting  
18 engineer, who will review the application for completeness, perform a detailed technical  
19 analysis of the project, and draft the permit. The permit draft will be reviewed by the  
20 applicant and placed on public notice. The permit engineer will reply to all public  
21 comments and issue the final permit after receipt of the processing fee

22 **Q. How long will it take to issue the permit?**

23 A. Once the application is deemed complete the clock starts on the review process which is  
24 statutorily set at 184 calendar days, inclusive of the public notice period. However, the  
25 184-day clock will be paused throughout the process during all time that the project is on  
26 hold awaiting additional information. One cannot know exactly how long it will take, but  
27 based on my experience, a reasonable time estimate for obtaining a PSD permit is between  
28 6 months (best case) and a year, assuming Liberty submits a complete application and that

1 the project isn't held up by missing information, a lack of responsiveness or modeling  
2 issues, which are common sources of delay.

3 **Q. Are there opportunities for the public to participate in the air permitting process?**

4 A. Yes. Once the permit is drafted there is a 40-day public notice period with an opportunity  
5 for a public hearing included inside the 184-day timeline. The applicant, local city and  
6 county officials, neighboring states, and any Federal Land Manager or Native American  
7 tribes whose lands may be affected by emissions will be informed of the public notice.

8 **Q. Can Liberty begin construction before receiving the PSD permit?**

9 A. No. PSD projects are not eligible for a preconstruction waiver, so Liberty must receive the  
10 permit before they break ground. Furthermore, for the permit to remain effective, Liberty  
11 must commence construction within 18 months of receiving it, and once construction has  
12 begun they cannot suspend work for more than 18 months without being granted an  
13 extension, otherwise they will have to reapply for the construction permit.

14 **Q. Can delays in the permitting process negatively affect the project?**

15 A. Yes. Liberty cannot break ground prior to receiving the PSD permit, therefore delays in  
16 obtaining the permit will delay construction, likely increase costs, and ultimately delay  
17 start-up of the new combustion turbine ("CT"). Further, according to Shaen Rooney, on  
18 page 3, lines 1-4 of his Direct Testimony, "When a defined planning need coincides with  
19 a fixed regulatory deadline, delay becomes the most significant risk. Delaying the Project  
20 would convert manageable, planned costs into higher emergency costs, increase customer  
21 exposure and jeopardize system reliability."

22 **Q. Has Liberty taken steps towards obtaining an air permit for the project?**

23 A. Liberty personnel stated at the public hearing on April 16, 2026, that they had not yet begun  
24 the air permitting process, and APCP has not received a construction permit application for  
25 the project at this time.

26 **Q. Are you concerned that Liberty has not yet submitted an air construction permit  
27 application?**

28 A. Yes. Given the August 2030 deadline for startup for the 250 MW combustion turbine and  
29 the increases in cost estimates for the project already, I am concerned that Liberty has not

1 submitted a permit application for the new unit. According to Shaen Rooney's direct  
2 testimony, page 9, delays have already increased the project cost by \*\*\_\_\_\_\_\*\* of  
3 which \*\*\_\_\_\_\_\*\* reflects a contingency associated with unknown air permit  
4 conditions, an amount that will likely increase with further delays.

5 **Q. Does this conclude your rebuttal testimony?**

6 A. Yes, it does.

**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 and Necessity to Support        )  
Resource Adequacy                                )     Case No. EA-2025-0299

**AFFIDAVIT OF JILL WADE**

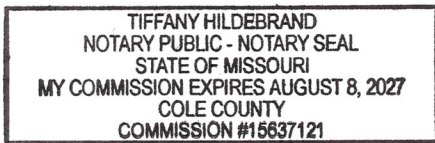
**STATE OF MISSOURI    )**  
  )  
**COUNTY OF COLE        )**     ss

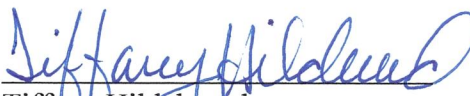
Jill Wade, of lawful age and being first duly sworn, deposes and states:

1. My name is Jill Wade. I am a Professional Engineer for the Office of the Public Counsel.
2. Attached hereto and made a part hereof for all purposes is my rebuttal testimony.
3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
Jill Wade  
Professional Engineer

Subscribed and sworn to me this 6<sup>th</sup> day of May 2026.



  
\_\_\_\_\_  
Tiffany Hildebrand  
Notary Public

My Commission expires August 8, 2027.