

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the 2025 RES Compliance Report)
and 2026-2028 Compliance Plan of The Empire) File No. EO-2026-0277
District Electric Company d/b/a Liberty)

STAFF RECOMMENDATION REGARDING PLAN AND MOTION FOR VARIANCE AND EXTENSION TO FILE STAFF RECOMMENDATION REGARDING REPORT

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and respectfully states as follows:

1. On April 15, 2026, The Empire District Electric Company d/b/a Liberty (“Liberty”) filed its Renewable Energy Standard (RES) 2025 RES Compliance Report (“Report”) and its Compliance Plan (“Plan”) for calendar years 2026 through 2028 as required by Commission Rule 20 CSR 4240-20.100(8).

2. Commission Rule 20 CSR 4240-20.100(8)(D) requires Staff to review Liberty’s Compliance Plan and Compliance Report and file a Staff report within 45 days of their filing. Following Liberty’s filing of its Report and Plan, the Commission ordered Staff to file its report no later than May 29, 2026.

3. During Staff’s review of Liberty’s Report, Staff discovered inconsistencies between the Report and Liberty’s Jurisdictional Annual Report regarding (1) total electric sales for the utility, and (2) total jurisdictional revenue from the total retail electric sales to Missouri customers as measured at the customers’ meters. Staff is seeking further clarification from Liberty regarding these inconsistencies.

4. Commission Rule 20 CSR 4240-2.205 enables the Commission to grant a variance from or waive any rule or provision of a rule promulgated by the Commission upon a finding of good cause. In order to provide Liberty and Staff time to reconcile the inconsistencies noted above, Staff requests the Commission issue an order granting a variance from the 45-day filing requirement of under Commission Rule 20 CSR 4240-20.100(8)(D), and order Staff to file its recommendation regarding Liberty's Report no later than June 19, 2026.

I. The Plan

5. Commission Rule 20 CSR 4240-20.100(8)(B)1.A. through G. establishes fundamental standards for RES Compliance Plans.

6. As discussed in greater detail in *Staff's Plan Memorandum*, attached and incorporated herein as Attachment A, Staff did not identify any deficiencies with Liberty's Plan.

7. Staff has not made a ratemaking determination as to whether the Plan is the least expensive or prudent method for complying with the RES. Staff recommends that the Commission be explicit in any Order it may issue in this case that it is not making a ratemaking determination.

WHEREFORE, Staff tenders its Staff Report on Liberty's 2026 through 2028 RES Compliance Plan, and requests the Commission grant the requested variance from Commission Rule 20 CSR 4240-20.100(8)(D) and order Staff to file its recommendation regarding Liberty's 2025 RES Compliance Report no later than June 19, 2026.

Respectfully submitted,

/s/ Travis J. Pringle

Travis J. Pringle

Missouri Bar No. 71128

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all parties and/or counsel of record on this 29th day of May, 2026.

/s/ Travis J. Pringle

MEMORANDUM

TO: Missouri Public Service Commission Case File
Case No. EO-2026-0277, In the Matter of the 2025 RES Compliance Report
and 2026-2028 RES Compliance Plan of The Empire District Electric
Company d/b/a/ Liberty

FROM: Malachi Bowman, Engineering Analysis

/s/ Malachi Bowman / 05/29/2026
Engineering Analysis / Date

SUBJECT: Staff Report and Conclusion on Empire District Electric Company's 2026-
2028 Annual RES Compliance Plan

DATE: May 29, 2026

SUMMARY

Staff has reviewed The Empire District Electric Company's d/b/a Liberty ("Liberty" or "Company") *2026-2028 RES Compliance Plan* ("Plan"). Based on its review, Staff has not identified any deficiencies.

OVERVIEW

On April 15, 2025, the Company filed its Plan for calendar years 2026 through 2028, in accordance with Commission Rule 20 CSR 4240-20.100(8), Electric Utility Renewable Energy Standard Requirements, Annual RES Compliance Report and RES Compliance Plan. This rule states, in part, "Each electric utility shall file an annual RES compliance plan with the commission. The plan shall be filed no later than April 15 of each year." Subparagraphs 20 CSR 4240-20.100(8)(B)1. A. through G. provide the minimum requirements for the plan. Subsection 20 CSR 4240-20.100(8)(D) requires that Staff examine the Plan and file a report within forty-five (45) days of the filing.

DISCUSSION

Staff reviewed the Company's Plan in accordance with the established requirements to verify the Plan contains the information required by the Rule. The results of this review

are detailed below, with appropriate Rule subparagraphs A. through G. identified and quoted.

A. “A specific description of the electric utility’s planned action to comply with the RES;”

To meet its non-solar RES obligations from 2026 to 2028, the Company plans to utilize its existing contracts with several large-scale wind farms—Neosho Ridge, North Fork Ridge, Kings Point, Elk River, and Meridian Way—as well as renewable energy generated the Company’s Ozark Beach Hydroelectric Project.

Because the Ozark Beach facility is located in Missouri, the Company receives 1.25 RECs for each MWh produced. The same Missouri-sourced multiplier also applies to the North Fork Ridge and Kings Point Wind projects due to their in-state status.

To meet its solar RES (“S-REC”) requirements, the Company intends to use S-RECs sourced from its customer-generators. These customer-generators receive a rebate for building a qualified solar facility, and the Company receives the rights to the RECs for a ten-year period. The S-RECs available from these resources significantly exceeds the solar RES requirement, and these S-RECs also qualify for the 1.25 multiplier applied to Missouri-sourced generation.

Together, these resources generate significantly more RECs than the Company requires for compliance. In 2026, the Company’s existing resources could supply an expected 2,933,907 RECs, but only 681,676 MWh of RECs should be needed for compliance. Similar surpluses are expected in 2027 and 2028, and the Company plans to sell a portion or all of any excess RECs it may accumulate.

B. “A list of executed contracts to purchase RECs (whether or not bundled with energy), including type of renewable energy resource, expected amount of energy to be delivered, and contract duration and terms;”

The Company provided the following information regarding its executed contracts:

	Type	Expected Energy Delivered (MWhs)	Contract Effective Date	Contract Duration
Elk River	Wind	286,201	12/10/2004	24.5 years
Meridian Way	Wind	151,567	6/19/2007	20 years

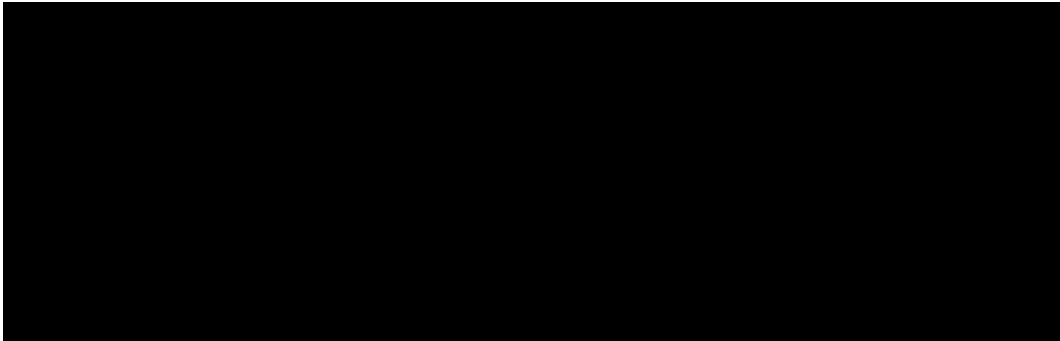
The Company has 20-year PPAs for energy and RECs from Elk River and Meridian Way, effective December 10, 2004 and June 19, 2007, respectively. Liberty expects 286,201 MWh of generation from Elk River and 151,567 MWh from Meridian Way. The PPA for Elk River was set to expire on December 15, 2025, but on July 28, 2025 Liberty and Avangrid¹ agreed to an extension of 4.5 years.

C. “The projected total retail electric sales for each year;”

The Company provided annual projected retail electric sales through 2028. The values presented in the Plan showed negative load growth, but the company provided updated values in a data request as shown below,

¹ Avangrid is the owner of Elk River

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- D. “Any differences, as a result of RES compliance, from the utility’s preferred resource plan as described in the most recent electric utility resource plan filed with the commission in accordance with 4 CSR 240-22, Electric Utility Resource Planning;”**

Since the Company intends to meet its RES compliance goals through existing resources, there are no differences between its 2026-2028 RES plan and the 2025 IRP update provided on April 1, 2025.

- E. “A detailed analysis providing information necessary to verify that the RES compliance plan is the least cost, prudent methodology to achieve compliance with the RES;”**

The Company provided information regarding its utilization of existing resources to comply with both the solar and non-solar portions of the RES for 2026 through 2028. The costs associated with these resources are already included in revenue requirements.

Staff does not find any deficiencies in the Company’s filing at this time. However, Staff wants it to be clear that when it states it has not identified any deficiencies in Liberty’s filing, Staff has not made a ratemaking determination whether the Plan is the least cost, prudent method in complying with the RES, and suggests

the Commission be clear in any Order it may issue in this case that it is not making any ratemaking determination.

- F. “A calculation of the RES retail rate impact (“RRI”) limit calculated in accordance with section (5) of this rule. The calculation should be accompanied by workpapers including all the relevant inputs used to calculate the retail rate impact limits for the planning interval which is included in the RES compliance plan. The electric utility may designate all or part of those calculations as highly confidential, proprietary, or public as appropriate under the commission’s rules;”**

The Company provided its RRI calculation as Attachment 3 in its filing, and the calculations result in a retail impact of **** [REDACTED] **** over the 10 year planning period which is above the 1% compliance threshold though it does remain under 1% over the next three years. **** [REDACTED]**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**** [REDACTED] **** The RRI is an estimate based on what is known at the time of Liberty’s analysis.

- G. “Verification that the utility has met the requirements for not causing undue adverse air, water, or land use impacts pursuant to subsection 393.1030.4. RSMo, and the regulations of the division.”**

The Company attests in its Plan that “All generating facilities utilized by Liberty to meet the requirements of the Missouri RES have, to Liberty’s knowledge, received all necessary environmental and operational permits and are in compliance with

any necessary federal, state and/or local requirements related to air, water and land use. All generating facilities have received Certification as a Renewable Energy Generation Facility by the Missouri Department of Natural Resources, Division of Energy.”

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OF THE STATE OF MISSOURI

In The Matter of the 2025 RES)
Compliance Report and 2026-2028 RES) Case No. EO-2026-0277
Compliance Plan of The Empire District)
Electric Company d/b/a Liberty)

AFFIDAVIT OF MALACHI BOWMAN

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

COMES NOW MALACHI BOWMAN and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Staff Report on Liberty's 2025 RES Compliance Report and 2026-2028 RES Compliance Plan* in memorandum form; and that the same is true and correct according to his best knowledge and belief.

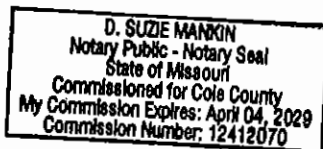
Further the Affiant sayeth not.

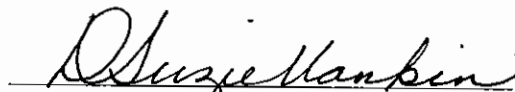


MALACHI BOWMAN

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 27th day of May 2026.




Notary Public