

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

In the Matter of an Investigation into the        )  
Customer Service and Billing of Liberty        )  
Utilities Including Electric, Gas, and        )        File No. OO-2025-0233  
Water Utilities                                        )

**NOTICE REGARDING METRICS**

**COMES NOW** The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”) and submits this Notice Regarding Metrics pertaining to the “Customer First Performance Metrics” stemming from Case No. ER-2024-0261. In this regard, Liberty respectfully states as follows to the Missouri Public Service Commission (the “Commission”):

1.        Ordered paragraph four of the *Report and Order* issued by the Commission on January 14, 2026, in Case No. ER-2024-0261, approves the terms of the Global Stipulation filed on October 6, 2025, and directs the signatories to comply with its terms (except as modified by the Supplemental Stipulation). Paragraphs six and seven of the Global Stipulation provide as follows:

Customer First Performance Metrics. The Parties will confer on the appropriate and reasonably achievable monthly normalized performance metrics and targets in the separate investigation and reach agreement by May 31, 2026. The performance metrics should be related to billing accuracy, billing timeliness, number of estimated bills, call center responsiveness, and customer experience index. The term “normalized” shall mean the exclusion of certain extraordinary events that occur from time to time, which (1) are beyond the control of the utility such as an act of nature, and (2) may affect the utility’s ability to meet the performance metrics. Upon the occurrence of an extraordinary event, Empire shall document the event and its impact on the performance metrics. The normalized performance metrics will be filed with the Commission until the Company achieves agreed upon performance metrics, compliance with Commission rules, and the Commission approved Empire tariff for at least 12 consecutive months, or as otherwise agreed to by the parties.

Customer First Regulatory Asset. Only after meeting the monthly normalized Customer First Performance Metrics, and only in those months where the Company has met the monthly normalized Customer First Performance Metrics, shall the Company begin recording a monthly amount in a regulatory asset account equal to the rate of return that would have been earned on the asset balance had it been

included in rate base in the amount of \$1,145,863 (\$13,750,356/12). Empire shall file in the ER-2024-0261 docket a notice of compliance and notice of deferral for each month it has met the monthly normalized Customer First Performance Metrics. The amounts are subject to review and recovery in a future rate case.

2. The parties (Staff, OPC, and Liberty) have worked diligently to agree upon a complete set of Customer First Performance Metrics by May 31, 2026. Liberty and Staff have reached agreement on a substantial portion of the Customer First Performance Metrics (see Exhibit A), but the parties are continuing discussions regarding the complete set of metrics. Liberty intends to begin measuring compliance as of June 1, 2026, using the metrics shown on Exhibit A. Additional and/or revised metrics, as well as how the metrics will be applied, shall be agreed to and filed herein by Liberty prior to June 30, 2026. The additional/revised metrics and the application method shall be measured for compliance for the month of June, unless otherwise agreed among the parties, and moving forward.

WHEREFORE, Liberty respectfully submits this Notice Regarding Metrics. No action on the part of the Commission is requested at this time.

Respectfully submitted,

ATTORNEYS FOR THE EMPIRE DISTRICT ELECTRIC  
COMPANY d/b/a LIBERTY

/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that the above document was filed in EFIS on this 30<sup>th</sup> day of May, 2026, with notification of the same being sent to all counsel of record; and I further certify that the above document was sent by electronic transmission to all counsel of record.

/s/ Diana C. Carter