

**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 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 recommendations no later than May 29, 2026.

3. On May 29, 2026, Staff provided its *Staff Plan Memorandum* noting no deficiencies were identified with Liberty’s 2026-2028 Plan. During Staff’s review of Liberty’s 2025 Report, Staff sought further clarification from Liberty regarding inconsistencies.<sup>1</sup> As a result, on May 29, 2026, Staff also requested a variance and extension to file its recommendation on Liberty’s 2025 Report.

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<sup>1</sup> (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.

4. On June 1, 2026, the Commission issued an order granting a variance from the filing deadline in 20 CSR 4240-20.100(8)(D) and ordered Staff to file its recommendation on Liberty's 2025 Report no later than June 22, 2026.

#### I. The Report

5. Commission Rule 20 CSR 4240-20.100(8)(A)1.A. through P. provide the minimum filing requirements for the RES Compliance Report.

6. As discussed in greater detail in *Staff's Report Memorandum*, attached and incorporated herein as Attachment A, Staff did not identify any deficiencies in the Report. Liberty has retired sufficient renewable energy credits ("RECs") to satisfy the 2025 RES requirements.

**WHEREFORE**, Staff tenders its Memorandum on Liberty's 2025 RES Compliance Report.

Respectfully submitted,

**/s/ Travis J. Pringle**

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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 18th day of June, 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 / 06/18/2026  
Engineering Analysis / Date

**SUBJECT:** Staff Report and Conclusion on Empire District Electric Company's 2025  
Annual RES Compliance Report

**DATE:** June 18, 2026

### **SUMMARY**

Staff reviewed The Empire District Electric Company's, d/b/a Liberty ("Liberty" or "Company") 2025 RES Compliance Report ("Compliance Report"). Based on its review of the Report, Staff has not identified any deficiencies.

### **OVERVIEW**

On April 15, 2026, Liberty filed its Compliance Report for calendar year 2025 (File No. EO-2026-0277), in accordance with Commission Rule 20 CSR 4240-20.100(8), Electric Utility Renewable Energy Standard (RES) Requirements, Annual RES Compliance Report and RES Compliance Plan. This Rule states, in part, "[e]ach electric utility shall file an RES compliance report no later than April 15 to report on the status of both its compliance with the RES and its compliance plan as described in this section for the most recently completed calendar year." Subparagraphs 20 CSR 4240-20.100(8)(A)1.A. through P. provide the minimum requirements for the Compliance Report. Subsection 20 CSR 4240-20.100(8)(D) requires that Staff examine the Company's Compliance Report and file a report within forty-five (45) days of the filing.

Staff completed its review and utilized the North American Renewables Registry (NAR) to independently verify the retirement of the RECs and S-RECs by the Company.

### **DISCUSSION**

Staff reviewed the Company's Compliance Report in accordance with the established requirements to verify it contains the information required. The results of this review are detailed below, with appropriate Rule subparagraphs A. through P. identified and quoted.

The Company reported the incorrect number of megawatt-hours (MWh) from Elk River wind farm in Attachment 2 of the Compliance Report. However, the correct values are listed in Attachments 3 and 6. The number of RECs in NARs is \*\* [REDACTED] \*\* MWh which is reflected in Attachments 3 and 6. The Company stated this was an error and provided Staff with an updated Attachment 2.

#### **A. "Total retail electric sales for the utility, as defined by this rule:"**

The Company reported the total retail electric sales for 2025, expressed as total megawatt-hours (MWh) sold to Missouri customers, as 4,372,359 MWh. But this was not consistent with what was reported on the Missouri Jurisdictional Annual Report filed with the Commission on May 14, 2026<sup>1</sup>, which is 4,299,649 MWh. The Company stated that this was due to a calculation error in a report used in the preparation of the RES filing and that "[t]he discrepancy was limited to this calculation error; and once corrected, the reported retail electric sales values reconcile between the RES filing and the Annual Report."<sup>2</sup>

#### **B. "Total jurisdictional revenue from the total retail electric sales to Missouri customers as measured at the customers' meters;"**

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<sup>1</sup> Liberty's 2025 Annual Report form page 304, line 58, column b submitted in BMAR-2026-1758 reports 4,299,649 MWh.

<sup>2</sup> Data Request 0007

The Company reported the total retail electric sales for 2025, expressed as annual operating revenues (dollars) from Missouri consumers, as \$546,710,899.18. This is consistent with total sales to ultimate customers of the Missouri Jurisdictional Annual Report, filed with the Commission on May 14, 2026.<sup>3</sup> Total Missouri Jurisdictional Revenues were \$546,651,048.

**C. “Total retail electric sales supplied by renewable energy resources, as defined by section 393.1025(5), RSMo, including the source of the energy;”**

The Company utilized seven (7) renewable energy generating facilities defined by Section 393.1025(5), RSMo during 2025: the Company-owned Ozark Beach Hydroelectric Project (“Ozark Beach”), North Fork Ridge Windfarm (“North Fork”), Kings Point Windfarm (“Kings Point”), Neosho Ridge Windfarm (“Neosho Ridge”), Prosperity Solar; and purchase power agreements (“PPA”) with Elk River Windfarm, LLC, Kansas (“Elk River”), and Cloud County Wind Farm, LLC, Kansas (“Meridian Way”). The company provided the following information regarding electric sales supplied by renewable energy:

<b><i>Facility</i></b>	<b><i>Generation (MWh)</i></b>	<b><i>Percentage</i></b>	<b><i>Energy Supplied to MO Retail Customers (MWh)</i></b>
Elk River	266,372	88.14%	234,780.3
Meridian Way	168,953	88.14%	148,915.2
Ozark Beach	40,359	88.14%	35,572.4
North Fork Ridge	490,719	88.14%	432,519.7
Kings Point	503,280	88.14%	443,591.0

<sup>3</sup> Liberty’s 2025 Annual Report form page 300, line 10, column b submitted in BMAR-2026-1758

Neosho Ridge	1,109,764	88.14%	978,146.0
Prosperity Solar	3,803.61	100%	3,803.6
Total	2,583,250.61		2,277,328.20

Prosperity Solar is included in this table but Liberty did not use it for 2025 RES compliance.

**D. “The number of RECs and S-RECs created by electrical energy produced by renewable energy resources owned by the electric utility. For the electrical energy produced by these utility-owned renewable energy resources, the value of the energy created. For the RECs and S-RECs, a calculated REC or S-REC value for each source and each category of REC;”**

The Company reported the following information:

Facility	REC/SREC Produced	2025 Average LMP (\$/MWh)	REC / SREC Value (\$/Credit)
Ozark Beach	40,359	** [REDACTED] **	** [REDACTED] **
North Fork Ridge Wind	490,719	** [REDACTED] **	** [REDACTED] **
Kings Point Wind	503,280	** [REDACTED] **	** [REDACTED] **
Neosho Ridge Wind	1,109,764	** [REDACTED] **	** [REDACTED] **
Customer Generated Solar	54,332	** [REDACTED] **	** [REDACTED] **
Prosperity Solar (Community Solar)	3,803.61	** [REDACTED] **	** [REDACTED] **

**E. “The number of RECs acquired, sold, transferred, or retired by the utility during the calendar year;”**

The Company provided the following information regarding the number of RECs acquired, retired, and sold during the calendar year:

	<b>Number of RECs (Compliance Equivalency)</b>	<b>Number of S-RECs (Compliance Equivalency)</b>
Acquired	** [REDACTED] [REDACTED] **	** [REDACTED] [REDACTED] **
Retired	** [REDACTED] [REDACTED] **	** [REDACTED] [REDACTED] **
Sold	** [REDACTED] [REDACTED] **	N/A
Transferred	N/A	N/A

Acquired RECs/S-RECs:

The Company reports it acquired \*\* [REDACTED] \*\* RECs in Attachment 2 of its Report and \*\* [REDACTED] \*\* customer-generated S-RECs (vintage 2025) in table 2 of its Report<sup>4</sup>. However, Staff notes the 2025 vintage customer-generated S-RECs are not registered in NAR as of May 12, 2026. Liberty stated that this was because the customer-generated RECs have been submitted to NAR and are awaiting final approval from NAR.<sup>5</sup>

<sup>4</sup> The Company stated that the number reported in table 2 of its report did not included the in-state multiplier in Data Request 0008

<sup>5</sup> Data Request 0008

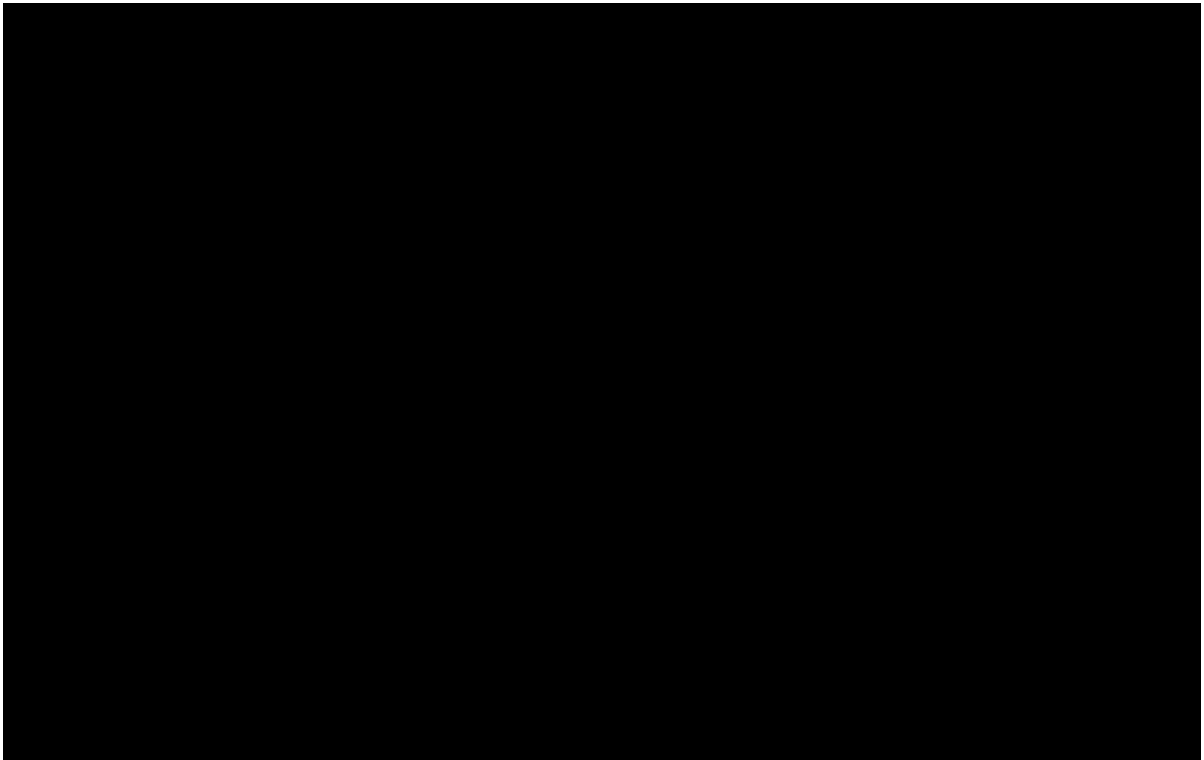
RECs/S-RECs Sold:

In Attachment 3 to the Compliance Report, the Company also provided the quantity of RECs sold \*\* [REDACTED] \*\* Elk River, \*\* [REDACTED] \*\* Kings Point, \*\* [REDACTED] \*\* Neosho Ridge, and \*\* [REDACTED] \*\* North Fork Ridge.

RECs/S-RECs Retired:

Staff verified through NAR the Company retired \*\* [REDACTED] \*\* RECs (\*\* [REDACTED] \*\* RECs including compliance equivalency) and a total of \*\* [REDACTED] \*\* S-RECs (\*\* [REDACTED] \*\* S-RECs including compliance equivalency) though Prosperity Solar is not utilized for RES compliance making the total for use in RES compliance \*\* [REDACTED] \*\* S-RECS (\*\* [REDACTED] \*\* S-RECs including compliance equivalency). The RECs retired by generation facility are below.

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The Company was required to retire a total of 644,948 RECs for compliance, with at least 12,899 being S-RECs.<sup>6</sup> Staff prefers the utilities round the requirement to whole increments because RECs are tracked in whole increments. Fractional RECs<sup>7</sup> are reported due to the Missouri in-state bonus of 1.25. The Company retired \*\* [REDACTED] \*\* S-RECs (\*\* [REDACTED] \*\* MO compliance equivalency) which satisfies the S-REC requirement. But only \*\* [REDACTED] \*\* RECs were retired which is \*\* [REDACTED] \*\* RECs short of the requirement.

Although not mentioned in Liberty's RES report, Liberty requested a variance in Docket No. EE-2026-0050 to use \*\* [REDACTED] \*\* RECs, retired through error in 2024, for 2025 compliance. Adding \*\* [REDACTED] \*\* with \*\* [REDACTED] \*\* gives \*\* [REDACTED] \*\* which is \*\* [REDACTED] \*\* RECs above what was needed to achieve compliance in 2025. This second error occurred because Liberty based its 2025 RES requirement on miscalculated retail electric sales as mentioned in section A of this report.

All RECs and S-RECs retired for 2025 compliance were registered and retired in the electronic tracking system<sup>8</sup> utilized for compliance purposes. In accordance with statute and regulation, a qualified facility produced these RECs and they were banked and utilized appropriately.<sup>9</sup>

**F. "The source of all RECs acquired during the calendar year;"**

See discussion in the preceding subparagraph E. of this report.

**G. "The identification, by source and serial number, or some other identifier sufficient to establish the vintage and source of the REC, of any RECs that have been carried forward to a future calendar year;"**

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<sup>6</sup> Pursuant to 20 CSR 4240-20.100(1)(R)2., the amount of non-solar RECs necessary is determined by calculating fifteen percent (15%) of the Company's total retail sales, less the solar requirement.

<sup>7</sup> 20 CSR 4240-20.100(2)(B)1

<sup>8</sup> North American Renewables Registry

<sup>9</sup> Qualified facility per Section 393.1025.(5), RSMo and 20 CSR 4240-20.100(1)(N); Banked RECs per Section 393.1030.2., RSMo and 20 CSR 4240-20.100(1)(M).

The Company provided a listing of RECs, by source and serial number, being carried forward for future year(s), as Attachment 5 of the Compliance Report. The list includes RECs from Ozark Beach, Kings Point, Meridian Way, Neosho Ridge, and North Fork Ridge. The list does not include customer-generated S-RECs.

**H. “An explanation of how any gains or losses from sale or purchase of RECs for the calendar year have been accounted for in any rate adjustment mechanism that was in effect for the utility;”**

The Company sold RECs produced by its wind PPAs and Company owned wind generation. The monetary gains from the sales were provided in Attachment 3. REC revenues factor into Liberty’s Fuel Adjustment Clause. Both the Elk River and Meridian Way PPAs were created before the Renewable Energy Standard existed, therefore, Staff does not consider these wind PPAs to be RES compliance costs, which are restricted from being recovered in a fuel adjustment clause.

**I. “For acquisition of electrical energy and/or RECs from a renewable energy resource that is not owned by the electric utility, the following information for each resource that has a rated capacity of ten (10) kW or greater:”**

**“(I) Facility name, location (city, state), and owner;”**

The Company provided the name, address, and owner for Elk River and Meridian Way on page 6 of the Annual RES Compliance Report.

**“(II) That the energy was derived from an eligible renewable energy technology and that the renewable attributes of the energy have not been used to meet the requirements of any other local or state mandate;”**

In NAR, Liberty is listed as the responsible party representing that the generator owner has not granted similar authority to another person or entity in NAR or any other similar registry showing that these RECs have not been used to meet the requirements of any other local or state mandate.

A Green-e certificate for Meridian Way was provided to verify the clean energy certification, and Elk River is listed on the Missouri Department of Natural Resources (MDNR) list of Renewable Energy Standard Certified facilities, as shown below, showing that these two facilities are eligible renewable energy

Elk River Wind Farm	9/12/2011	Butler County, KS	The Empire District Electric Company (Empire District)	150
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technologies.<sup>10</sup>

**“(III) The renewable energy technology utilized at the facility;”**

The type of technology was provided on page 6 of the 2025 Annual RES Compliance Report.

**“(IV) The dates and amounts of all payments from the electric utility to the owner of the facility;”**

Liberty provided the dates and amounts of the payments to Elk River and Meridian Way in Attachment 2 of the 2025 Annual RES Compliance Report.

**“(V) All meter readings used for the calculation of the payments referenced in part (IV) of this paragraph;”**

The meter readings used to calculate the payments to Elk River and Meridian Way were provided in Attachment 2 to the 2025 Annual RES Compliance Report.

**J. “For acquisition of electrical energy and/or RECs from a customer-generator:”**

**(I) Location (zip code);**

The Company provided the zip codes of its customer-generators in Attachment 7.

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<sup>10</sup> [Renewable Energy Standard \(RES\) Certification | Missouri Department of Natural Resources \(mo.gov\)](https://www.mo.gov).

**(II) Name of aggregated subaccount in which RECs are being tracked in;**

The Company provided the name of the aggregated subaccounts in Attachment 7.

**(III) Interconnection date**

The Company provided the operational date for customer-generator systems in Attachment 7.

**(IV) Annual estimated or measured generation; and**

The Company provided the estimated generation from customer-generator systems in Attachment 7.

**(V) The start and end date of any estimated or measured RECs being acquired;”**

The Company provided the start and end date of estimated RECs being acquired in Attachment 7.

**K. “The total number of customers that applied and received a solar rebate in accordance with section (4) of this rule;”**

The number of customers that applied for and received a solar rebate in 2025 was 0.

**L. “The total number of customers that were denied a solar rebate and the reason(s) for denial;”**

The Company stated that no applicants were ultimately denied a solar rebate.

**M. “The amount expended by the electric utility for solar rebates, including the price and terms of future S-REC contracts associated with the facilities that qualified for the solar rebates;”**

The Company stated it spent \$0 on solar rebates in 2025.

**N. “An affidavit documenting the electric utility’s compliance with the RES compliance plan as described in this section during the calendar year;”**

The Company included the affidavit as Attachment 8 of the Compliance Report.

**O. “If compliance was not achieved, an explanation why the electric utility failed to meet the RES;”**

Liberty states that the Company “has made every effort to comply and believes it has achieved compliance with the Missouri RES Compliance Plan for the 2025 compliance period. There are no known non-compliance items”.

**P. “A calculation of its actual calendar year retail rate impact.”**

The Company stated that the total compliance cost for the year was \*\* [REDACTED] \*\*, and the total Missouri revenue was \$546,710,899, which resulted in a calendar year retail rate impact of 0.017%.

**CONCLUSION**

Staff has confirmed that Liberty has retired sufficient RECs to satisfy the 2025 RES requirements. Additionally, Staff notes that Liberty retired an additional \*\* [REDACTED] \*\* RECs above the RES requirement. This was due to a miscalculation of the retail electric sales. The over-retirement of RECs means there are less RECs to carry forward or sell later. Liberty sells RECs and passes the benefit to customers through the FAC. Staff notes that Liberty could request a variance from 20 CSR 4240-20.100(3)(J) which states in part “The RECs shall be retired during the calendar year for which compliance is sought.” This would allow Liberty to re-designate the RECs to the 2026 compliance year. Staff will review the prudence of Liberty’s REC sales in future cases.

**BEFORE THE PUBLIC SERVICE COMMISSION**

**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.

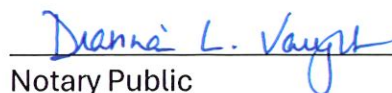
Further the Affiant sayeth not.

  
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**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 17th day of June 2026.

DIANNA L. VAUGHT  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Cole County  
My Commission Expires: July 18, 2027  
Commission Number: 15207377

  
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Notary Public