

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

In the Matter of the Application of the	)	
Empire District Electric Company, The	)	
Empire District Gas Company, Liberty	)	
Utilities (Midstates Natural Gas) Corp.,	)	Case No. AO-2017-0360
and Liberty Utilities (Missouri Water),	)	
LLC for Approval of Their Cost Allocation	)	
Manual	)	

NOTICE OF DISMISSAL

Come Now The Empire District Electric Company, The Empire District Gas Company, Liberty Utilities (Midstates Natural Gas) Corp., and Liberty Utilities (Missouri Water), LLC (collectively, “Applicants”) and, pursuant to 20 CSR 4240-2.116(1), state as follows to the Missouri Public Service Commission (“Commission”) as their voluntarily dismissal of the Application:

1. On June 30, 2017, Applicants filed their *Application for Approval of Cam, Conditional Request for Variance, and, If Necessary, Request for Waiver* (“Application”).
2. On December 30, 2019, the parties filed a *Status Report and Joint Motion to Stay Proceeding*. The parties proposed staying this proceeding because Case No. AW-2018-0394 would likely result in the initiation by the Commission of a formal rulemaking under Chapter 536, RSMo, regarding changes to the Affiliate Transactions Rules (“ATR”). It was asserted that once a proceeding on the Affiliate Transactions Rules was concluded, there would likely be an updated and common set of Rules, expected to contain differences from the then current electric, gas, and heating rules, on which CAMs could then be based (and upon which any need for variances will need to be assessed).
3. On January 10, 2020, the Commission issued its *Order Staying Proceeding*.

4. Rulemaking cases (OX-2025-0104; OX-2025-0105; and OX-2025-0106) were ultimately approved and finalized by the Commission. These cases progressed into new affiliate transaction rules that have been fully approved, published in the Code of State Regulations (“CSR”) on April 30, 2025, and became effective on May 30, 2025. These new rules are as follows: 20 CSR 4240-10.155 (Affiliate Transactions); 20 CSR 4240-10.165 (HVAC Services Affiliate Transaction); and 20 CSR 4240-10.175 (Customer Information).

5. Section (5)(B) of the new Affiliate Transaction Rule requires the Company to file a CAM for approval in its first general rate case after May 30, 2025, or within two years after the effective date. The required CAM will be developed in compliance with the new ATR, which reflects material changes from the prior ATR.

6. Applicants will be filing an application for approval of their CAM in compliance with the guidelines set forth under the new rules addressed above. Given the need for an application and a new CAM to be filed in accordance with the new ATR, there is no longer a need to pursue this case.

7. Commission Rule 20 CSR 4240-2.116(1) states that “An applicant . . . may voluntarily dismiss an application . . . without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered by filing a notice of dismissal with the commission.” Prepared testimony has not been filed in this case.

8. For the reasons stated above, Applicants hereby dismiss their *Application*.

WHEREFORE, Applicants respectfully request that the Commission recognize this Notice of Dismissal.

Respectfully submitted,

/s/ Dean L. Cooper
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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of September 2026, a correct copy of the above and foregoing document was served on the following persons by Electronic Mail.

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/s/ Dean L. Cooper