

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

In the Matter of The Empire District Electric
Company d/b/a Liberty's Application for
Approval of New or Modified Tariffs for Service
to Large Load Customers

Case No. ET-2026-0184

MOTION OF GERONIMO POWER, LLC TO INTERVENE OUT-OF-TIME

Pursuant to 20 CSR 4240-2.075, Geronimo Power, LLC ("Geronimo Power") respectfully moves to intervene out-of-time as a party in the above-captioned matter. The basis for Geronimo Power's motion is set forth below.

1. On September 11, 2026, The Empire District Electric Company d/b/a Liberty ("Liberty") filed its "Application, Request for Variance, and Request for Expedited Treatment" in the above-captioned docket, requesting that the Missouri Public Service Commission ("Commission") approve its Schedule Transmission Service Large Load ("Schedule TS-LL"), which establishes the rates, terms, and conditions under which Liberty will serve Large Load Customers (defined as a retail customer with a monthly maximum demand larger than 25 MW).

2. On September 14, 2026, the Commission issued its "Order Directing Notice, a Staff Pleading, Setting an Intervention Deadline, and Suspending Tariff," which (among other things) set a deadline of October 12, 2026 for interested parties to intervene in this matter.¹

3. Geronimo Power is a renewable energy development company, with its principal offices at 8400 Normandale Lake Boulevard, Suite 1200, Bloomington, Minnesota, 55437, that has nearly 3,000 megawatts ("MW") of operational or under-construction wind, solar, and energy storage projects across the Midcontinent Independent System Operator, Inc., Southwest Power

¹ *In Re The Empire District Electric Company d/b/a Liberty's Application for Approval of New or Modified Tariffs for Service to Large Load Customers*, Docket No. ET-2026-0184, *Order Directing Notice, a Staff Pleading, Setting an Intervention Deadline, and Suspending Tariff*, at 2 (Mo. PSC Sep. 14, 2026).

Pool, and Electric Reliability Council of Texas footprints, with an additional 20 gigawatts of projects in development. Geronimo Power develops, finances, constructs, and operates utility-scale generation in the foregoing markets. The company also works to co-locate power projects with new hyperscale data centers, which it refers to as powered data parks: Geronimo Power identifies land suitable for data center development, works through the local and environmental permitting processes, and develops and builds dedicated power projects to power the new data center facility.

4. The Commission may grant an application to intervene if “(A) The proposed intervenor or new member(s) has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or (B) Granting the proposed intervention would serve the public interest.”²

5. Geronimo Power has an interest in this proceeding as a developer of data center energy parks and generation resources that are used to serve large load customers across the country. The terms and conditions upon which Liberty is authorized to serve large load customers under Schedule TS-LL could impact the economic or other aspects of any data center energy parks or generation resources that Geronimo Power may develop in the future for large load customers. Thus, Geronimo Power’s interest is distinct from that of the general public and could be impacted by the Commission’s decision in this proceeding.

6. Geronimo Power anticipates offering its perspective on the proposed rates, conditions, and terms of service in Schedule TS-LL, which will further develop the record for the Commission in this matter. As noted, Geronimo Power develops generation resources and powered data parks to large load customers across the United States, and it has participated in large load

² 20 CSR 4240-2.075(3).

tariff proceedings in other jurisdictions. Geronimo Power’s experience in these areas will enable it to provide the Commission with unique insights and perspectives regarding Schedule TS-LL specifically and service to large load customers generally.

7. The Commission may grant a motion to intervene made “after the intervention date”—here, October 12, 2026—“upon a showing of good cause.”³ Good cause exists to grant this motion, which is being submitted one day after the October 12, 2026 intervention deadline, due to the technical issues described below.

8. The undersigned did not realize, until October 11, 2026, that Geronimo Power had no existing company profile in the Commission’s Electronic Filing & Information System (“EFIS”) and that one needed to be created and registered before any document could be filed on EFIS on Geronimo Power’s behalf. The understanding of the undersigned is that completing this registration process requires review and approval by the Commission’s data center staff, who were unavailable on October 12, 2026, which is Columbus Day, a Missouri state holiday. As a result, Geronimo Power was unable to complete its EFIS registration and file this motion until the next business day (today). While the undersigned regret this oversight, this motion is being filed only one day late, the proceeding remains in its early stages, and no party will be prejudiced by this brief delay. Moreover, Geronimo Power accepts the record as established in this case to date, including the requirements of any Commission orders.⁴

9. Given Geronimo Power’s unique interest in this proceeding, its ability to develop the record in a manner that will serve the public interest, and that good cause exists to grant this motion out-of-time, Geronimo Power has met the standard for intervention set forth in 20 CSR 4240-2.075 and respectfully requests authorization to intervene in this matter.

³ 20 CSR 4240-2.075(10).

⁴ *Id.*

10. At this stage of the proceeding, Geronimo Power is uncertain as to its exact position on Liberty's application and proposed Schedule TS-LL because it is still reviewing and analyzing Liberty's proposal. Geronimo Power expects to develop its specific position in this case once its review and analysis is complete and the record is more fully developed in accordance with the procedural schedule is adopted in this case.

11. Should the Commission grant this motion, Geronimo Power respectfully requests that all future filings and submissions be served on the undersigned, with a preference for electronic service.

For the foregoing reasons, Geronimo Power respectfully requests that the Commission grant this motion and authorize it to intervene as a party in the above-captioned proceeding.

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Dated: October 13, 2026

Respectfully submitted,

/s/ Bryan Wade

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CERTIFICATE OF SERVICE

I hereby certify that, on October 13, 2026, the foregoing document was filed with the Missouri Public Service Commission ("Commission") in the above-captioned docket through the Commission's electronic filing and information system and that a true and correct copy of the foregoing document was served via e-mail upon all counsel of record using the Commission's certified service list.

/s/ David R. Zoppo
David R. Zoppo

Attorney for Geronimo Power, LLC