

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

In the Matter of the Tariff Filing of The)	
Empire District Electric Company d/b/a Liberty)	Case No. ET-2023-0250
Pursuant to Rules 20 CSR 4240-3.155 and)	Tariff JE-2023-0127 and JE-2023-0128
20 CSR 4240-20.065)	

NOTICE OF FILING

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”), and for its Notice of Filing regarding the submission of a standard form contract for systems over 100 kW and public versions of the Company’s net metering and cogeneration workpapers and in response to the *Order Approving Tariff Sheets* issued herein on May 11, 2023, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. In its *Order Approving Tariff Sheets*, the Commission directed Liberty to file the information recommended by the Staff of the Commission (“Staff”), specifically:

- a. a justification of the confidential information set out at paragraph 2(a) of the Staff Recommendation filed on May 2, 2023, taking into account the factors affecting rates for purchases contained in 20 CSR 4240- 20.060(4)(E)2;
- b. a standard form contract for systems over 100 kW as required by 20 CSR 4240-3.155(2)(B); and
- c. a public version of the data required by 20 CSR 4240-3.155(4).

2. With regard to item 1a above, Liberty notes that the resource adequacy requirements, as specified in Attachment AA of the Southwest Power Pool’s Open Access Transmission Tariff, is an annual process that requires periodic updates to both accreditation of resources and forecasts of peak load. Due to the nature of the net metering and cogeneration tariffs being updated on a biennial basis pursuant to Commission Rules 20 CSR 4240-20.065(6) and 20 CSR 4240-3.155(3), combined with the dynamic nature of the resource adequacy requirements, the Company believes it would be

inappropriate to provide capacity compensation to net metering/cogeneration customers when the Company may not have been in compliance with resource adequacy requirements but for their contribution. The Company believes, however, that it would be appropriate to discuss with Staff and other interested stakeholders the possibility of revised tariff language to address Staff's concerns.

3. With regard to item 1b above, and pursuant to Commission Rule 20 CSR 4240-3.155(2)(B), Liberty has submitted herein its standard form contract for systems over 100 kW (EFIS Doc. No. 11). While the Net-Metering Rider is not applicable to customers that have an electrical generating system that exceeds 100 kW, for customers with systems that do exceed 100 kW, they are eligible to take service under the Company's Co-Generation Purchase Rate Tariff. Customers taking service on the Co-Generation Purchase Rate Tariff must complete the application/agreement for Parallel Generation Systems (submitted herein as EFIS Doc. No. 11).

4. With regard to item 1c above, and pursuant to Commission Rule 20 CSR 4240-3.155(4), Liberty has submitted herein public versions of the Company's net metering and cogeneration workpapers (EFIS Doc. No. 12).

WHEREFORE, The Empire District Electric Company d/b/a Liberty respectfully submits this Notice of Filing.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527

The Empire District Gas Company d/b/a Liberty
428 E. Capitol Ave., Suite 303

Jefferson City, Missouri 65101

Joplin Office Phone: (417) 626-5976

Cell Phone: (573) 289-1961

E-Mail: Diana.Carter@LibertyUtilities.com

CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 31st day of May, 2023, and sent by electronic transmission to all counsel of record.

/s/ Diana C. Carter