

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

In the Matter of the Request of The Empire	)	
District Electric Company d/b/a Liberty for	)	<b><u>Case No .ER-2021-0312</u></b>
Authority to File Tariffs Increasing	)	Tracking No. YE-2023-0166
Rates for Electric Service Provided to	)	
Customers in its Missouri Service Area	)	

**STAFF RECOMMENDATION**

**COMES NOW** Staff of the Missouri Public Service Commission and for this Staff Recommendation respectfully states as follows:

1. On February 24, 2023, The Empire District Electric Company d/b/a Liberty (“Empire”) filed tariff sheets (Tracking No. YE-2023-0166) for the Critical Medical Needs Program, which Empire agreed, pursuant to a stipulation and agreement in this case, to develop with the parties.
2. In addition, Empire requested the Commission allow the tariff sheets to become effective on an expedited basis, specifically, on March 6, 2023.
3. On February 27, 2023, the Commission issued its *Order Directing an Expedited Tariff Recommendation, Setting Time for Responses and Directing Liberty to File Substitute Tariff Sheets* (“Order”) in which it ordered Staff to file a recommendation regarding Empire’s Critical Medical Needs Program tariff sheets no later than February 28, 2023, and further ordered Staff to explain why these tariff sheets should be approved on less than ten days’ notice.
4. Empire filed substitute tariff sheets on February 27 and 28, 2023.
5. Staff has reviewed the tariff sheets and recommends that the Commission approve the following tariff sheets, filed on February 24, 2023, and as substituted on

February 27 and 28, 2023, to go into effect on an expedited basis on March 6, 2023, as requested by Empire:

P.S.C. Mo. No. 6 Sec. A

2nd Revised Sheet No. 1 Canceling 1st Revised Sheet No. 1

P.S.C. Mo. No. 6 Sec. 4

Original Sheet No. 28

P.S.C. Mo. No. 6 Sec. 5

1st Revised Sheet No. 37 Canceling Original Sheet No. 37

6. As for why these tariff sheets should be approved on less than ten days' notice, Staff submits that the Critical Medical Needs Program collaborative stakeholder group is supportive of expedited review and action on the proposed tariff sheets for Ameren Missouri, Liberty-Empire, and Spire Missouri in order to align timing of and approaches for consistency across the utilities for this program. To successfully administer and reduce confusion for eligible Missourians who will benefit from this program, participants should have a reasonable and consistent expectation of how the program works; in addition, it will assist in how the services are delivered by partners supporting the program effort. The United Way of Greater St. Louis and Southwest Missouri will administer this program and is in the process of launching the program on April 1<sup>st</sup>. Approval of these tariff sheets on less than ten days' notice helps to support a seamless rollout and implementation of this program by April 1<sup>st</sup>.

6. This pleading is verified by the affidavit of Mr. Brad Fortson, which is attached hereto and incorporated herein by reference.

**WHEREFORE** Staff recommends the Commission issue an order approving the tariff sheets, filed on February 24, 2023, and as substituted on February 27 and 28, 2023, to go into effect on an expedited basis on March 6, 2023, as requested by Empire, and granting such other and further relief as the Commission deems appropriate:

Respectfully submitted,

**/s/ Nicole Mers**

Nicole Mers  
Deputy Counsel  
Missouri Bar No. 66766  
P.O. Box 360  
Jefferson City, MO 65012  
(573) 751-6651 (Telephone)  
(573) 751-9285 (Fax)  
Nicole.mers@psc.mo.gov

**Attorney for the Staff of the  
Missouri Public Service Commission**

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been emailed to all parties and/or counsel of record on this 28th day of February, 2023.

**/s/ Nicole Mers**

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In the Matter of the Request of The Empire	)	
District Electric Company d/b/a Liberty for	)	<u>Case No. ER-2021-0312</u>
Authority to File Tariffs Increasing Rates for	)	<u>Tracking No. YE-2023-0166</u>
Electric Service Provided to Customers in its	)	
Missouri Service Area	)	

**AFFIDAVIT OF BRAD J. FORTSON**

STATE OF MISSOURI     )  
  )  
COUNTY OF COLE     )     ss.

**COMES NOW BRAD J. FORTSON** and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Staff Recommendation*; and that the same is true and correct according to his best knowledge and belief.

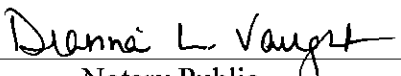
Further the Affiant sayeth not.

  
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**BRAD J. FORTSON**

**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 27<sup>th</sup> day of February, 2023.

DIANNA L VAUGHT Notary Public - Notary Seal STATE OF MISSOURI Cole County My Commission Expires: July 18, 2023 Commission #: 15207377
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Notary Public