

# 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     )  
Authority to File Tariffs Increasing Rates for     )     **File No. ER-2021-0312**  
Electric Service Provided to Customers in its     )  
Missouri Service Area                             )

## ORDER MODIFYING THE PROCEDURAL SCHEDULE

Issue Date: January 25, 2022

Effective Date: January 25, 2022

The Commission’s procedural schedule set January 24, 2022, as the deadline for filing the parties list of issues. On January 24, 2022, at 4:57 p.m., the Commission’s Staff (Staff) filed a motion to modify the procedural schedule. Staff states that the parties are currently finalizing a list of issues, order of witnesses, order of cross-examination, and order of opening. The motion asserts that this extension will not affect any other deadlines. No explanation was provided as to why additional time was needed.

On January 11, 2022, The Empire District Electric Company d/b/a Liberty filed a motion to modify the procedural schedule with the consent of the parties. That motion asserted that the extension would not affect other dates on the procedural schedule.

This late in the case, each time a due date is deferred it does affect future dates on the procedural schedule. All rate cases involve hard deadlines for the parties to present their evidence and for the Commission to determine the issues and issue an order. The Commission understands that the parties are doing their best to comply with the procedural schedule. However, without a list of issues, the Commission is in the dark as to the magnitude of the case before it, and cannot prepare for the hearing. Only the parties are truly aware of the size of the case and the positions of the other parties.

The Commission will grant the requested extension of time to file a list of issues, quite simply because denying the request fails to advance this rate case. However, any further requests to modify the procedural schedule shall require an informal WebEx conference with the Regulatory Judge and the parties.

**THE COMMISSION ORDERS THAT:**

1. The procedural schedule is modified. The list of issues, order of witnesses, order of cross-examination, and order of opening shall be filed no later than January 25, 2022. The remaining procedural schedule is unchanged.
2. This order is effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

John T. Clark, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 25<sup>th</sup> day of January, 2022.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 25<sup>th</sup> day of January, 2022.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**January 25, 2022**

**File/Case No. ER-2021-0312**

**Missouri Public Service Commission**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, prominent "M" and "W".

**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.