

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

In the Matter of The Empire District Electric Company’s)
Request for Authority to File Tariffs Increasing Rates for Electric) Case No. ER-2019-0374
Service Provided to Customers in its Missouri Service Area)

MOTION FOR RELIEF REGARDING POSITION STATEMENTS

COMES NOW The Empire District Electric Company, a Liberty Utilities company (“Liberty-Empire” or the “Company”), and for its Motion for Relief Regarding Position Statements, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. Staff, on behalf of all parties, submitted a status report and a proposed schedule for the further processing of this case. In response, on April 8, 2020, the Commission issued its *Order Suspending the Evidentiary Hearing, Modifying the Procedural Schedule, and Delegating Authority to the Regulatory Judge*.

2. The Commission’s order includes a requirement for separate position statements to be filed on April 14, 2020.

3. In light of the fact that the hearing has been suspended and the parties will have the opportunity to submit three briefs and proposed findings of fact and conclusions of law, Liberty-Empire seeks relief from the requirement to separately file a statement of positions. In lieu of separate position statements, that information would be incorporated into initial briefs.

4. Alternatively, if separate position statements are required, Liberty-Empire requests that the due date for position statements be extended until after the parties make their offers of evidence (which may include more than just written testimony that has already been pre-filed), so that position statements may reference the testimony relied upon. Additionally, Liberty-Empire would appreciate additional time for position statements, if they need to be filed

separately, to allow Company employees and witnesses to focus on their families over the Easter weekend. Lastly, the Company, Staff, and other parties are diligently working toward settlement, and the Company believes settlement will be more likely if these parties may focus on settlement discussions.

5. Counsel for Liberty-Empire discussed this filing with counsel for all parties in advance of filing. Counsel for the Staff of the Commission, MECG, EDRA, NRDC, Sierra Club, Renew Missouri, and the NHT stated their consent or non-objection. The Office of the Public Counsel opposes this motion.

WHEREFORE, Liberty-Empire submits this Motion for Relief Regarding Position Statements, requesting an order of the Commission relieving the parties of the obligation to file position statements. Liberty-Empire requests such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 9th day of April, 2020, with notification of the same being sent to all counsel of record.

/s/ Diana C. Carter