

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

In the Matter of The Empire District Electric Company’s )  
Application to Discontinue Providing Solar Rebates for its ) Case No. ET-2023-\_\_\_\_\_  
Electric Customers in its Missouri Service Area )

**SOLAR REBATE TARIFF APPLICATION**

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”), and for its Application to discontinue providing solar rebates, respectfully states as follows to the Missouri Public Service Commission (the “Commission”):

1. Liberty is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri. Liberty is qualified to conduct business and is conducting business in Missouri, as well as in the states of Arkansas, Kansas, and Oklahoma. Liberty is a “public utility” and, therefore, is subject to the general regulatory jurisdiction of the Commission as provided by law and is engaged, generally, in the business of generating, purchasing, transmitting, distributing, and selling electricity in portions of the referenced four states.

2. Liberty’s documents of incorporation from Kansas and certificate of authority from Missouri were previously filed with the Commission in Case No. EF-94-39. These documents are incorporated by reference and made a part of this Application for all purposes.

3. Liberty has no overdue Commission annual reports or assessment fees. There is no pending action or final unsatisfied judgment or decision against the Company from any state or federal agency or court which involves customer service or rates, which action, judgment or decision has occurred within three years of the date of this Application.

## Solar Rebates

4. RSMo. §393.1030 and §393.1670 provide that electrical corporations shall provide solar rebates as prescribed therein. Pursuant to §393.1030 and effective May 16, 2015, Liberty began offering solar rebates (Liberty's Rider SR).

5. The solar rebate tariff sheets currently in effect, Liberty's Solar Rebate Rider, Sheet Nos. 23-23h, are attached hereto as Appendix A.

6. Liberty's Solar Rebate Rider provides that its purpose is to implement the solar rebates established through RSMo. §393.1030 and §393.1670 and to establish the terms, conditions, and procedures the Company will rely on in accepting rebate applications, authorizing rebate payments to eligible participants for a qualifying solar electric systems, and the handling of solar renewable energy credits ("SRECs") associated with the new or expanded systems.

7. RSMo. §393.1670.1(3) provides, in part, that electrical corporations with 200,000 or less Missouri retail customers as of August 28, 2018 (Liberty) shall not be obligated to pay solar rebates exceeding a total of \$7 million in the calendar years 2019 through 2023.

8. The solar rebates required by RSMo. §393.1030 and §393.1670 helped to expedite the solar industry in Missouri, including in Liberty's Missouri electric service territory, and helped fuel new business growth.

9. Between January 1, 2019, and October 31, 2022, Liberty paid solar rebates in the amount of \$7,194,279 pursuant to the tariff sheets attached hereto as Appendix A (Rider SR). As such, pursuant to RSMo. §393.1670.1(3), Liberty is not obligated to continue offering solar rebates. Additionally, and as explained below, Liberty no longer desires to continue offering solar rebates at this time.

10. It appears that rebates are no longer the main driving factor for solar installation, given the large growth in the industry and education and knowledge regarding the industry. For example, in 2015, the Liberty electric service territory was served by three or less solar companies. Currently, there are approximately 50.

11. Additionally, Liberty has seen an increase in solar applications, while the amount of the rebate paid by Liberty has decreased.

12. Lastly, the cost of the solar rebates incurred pursuant to Rider SR are absorbed and paid by all Liberty electric customers. Liberty believes the shifting of this cost responsibility is no longer appropriate on a going forward basis, and, as noted above, is no longer required by statute.

**Request for Waiver of the 60-Day Notice**

13. Commission Rule 20 CSR 4240-4.017(1) provides that “(a)ny person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case.” No such notice was filed herein. As such, Liberty seeks a waiver of the 60-day notice requirement.

14. Commission Rule 20 CSR 4240-4.017(1)(D) provides that a waiver may be granted for good cause. In this regard, Liberty declares (as verified below) that they have had no communication with the Office of the Commission (as defined in Commission Rule 20 CSR 4240-4.015(10)) within the prior 150 days regarding any substantive issue likely to be in this case.

WHEREFORE, Liberty submits to the Commission this Solar Rebate Tariff Application and seeks approval to revise its Rider SR, discontinuing the payment of new rebates under Liberty’s solar rebate program. Liberty requests such additional relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527

THE EMPIRE DISTRICT ELECTRIC COMPANY

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**VERIFICATION**

On behalf of the applicant, The Empire District Electric Company, and pursuant to Commission Rule 20 CSR 4240-2.060(1)(M), the undersigned, upon her oath and under penalty of perjury, hereby states that the above Tariff Application is true and correct to the best of her information, knowledge, and belief.

/s/ Charlotte Emery\_\_\_\_\_

Charlotte Emery

Senior Director - Rates and Regulatory  
Affairs - Liberty Central Region

**CERTIFICATE OF SERVICE**

I hereby certify that the above document was filed in EFIS on this 13<sup>th</sup> day of December, 2022, and sent by electronic transmission to the Staff of the Commission and the Office of the Public Counsel.

/s/ Diana C. Carter