

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held by telephone
and internet audio conference
on the 21st day of May, 2020.

In the Matter of the True-Up of)	
The Empire District Electric Company's)	<u>File No. EO-2020-0312</u>
Fuel Adjustment Clause (FAC))	Tariff No. JE-2020-0171

ORDER APPROVING FUEL ADJUSTMENT TRUE-UP FILING

Issue Date: May 21, 2020

Effective Date: May 31, 2020

The Empire District Electric Company, a Liberty Utilities company (Liberty-Empire) seeks the Commission's approval of a true-up filing and amount related to the company's fuel adjustment clause, as provided by Commission Rule 20 CSR 4240-20.090(9). The true-up filing concerns billing months June through November 2019, which are designated Recovery Period 21. Liberty-Empire's filing indicates during that period it under-recovered \$1,074,609 from customers.

Staff on May 1, 2020, recommended the Commission approve Liberty-Empire's true-up filing of \$1,074,609 in under-collected costs for Recovery Period 21. The Commission received no additional responses to Liberty-Empire's true-up filing within the 40-day period allowed by rule.¹

On May 12, 2020, in response to a May 11, 2020 filing by the Office of the Public Counsel in opposition to approval of Liberty-Empire's tariff filing in File No. ER-2020-0311, the Commission directed Staff, Liberty-Empire and OPC to file responses to clarify

¹ Responses from the Office of the Public Counsel and other parties were due on May 11, 2020. 20 CSR 4240-20.090(9)(E).

whether OPC's opposition to approval of the revised tariff in ER-2020-0311 should hinder or delay the Commission's consideration of Liberty-Empire's true-up filing in this case. Staff, Liberty-Empire and OPC on May 13, 2020, filed a joint response stating the parties agree OPC's opposition to approval of the revised tariff in ER-2020-0311 should have no effect on consideration of Liberty-Empire's true-up filing.

Based on the parties' joint response, the Commission finds that while the true-up amount for Recovery Period 21 is a component of the tariff proposed in File No. ER-2020-0311, approval of the true-up amount neither constitutes nor requires approval of Liberty-Empire's proposed substitute tariff.

On the basis of Liberty-Empire's uncontested filing and Staff's review and recommendation, the Commission concludes Liberty-Empire's true-up filing and amount should be approved. Approval of the true-up filing and amount does not constitute approval of the tariff sheet submitted by Liberty-Empire and assigned Tariff No. JE-2020-0171.²

To comply with the initial 60-day period for review of a true-up filing required by rule,³ this order will be effective in fewer than 30 days.

THE COMMISSION ORDERS THAT:

1. Liberty-Empire's true-up filing and amount for Recovery Period 21 is approved.

² Liberty-Empire on April 1, 2020, filed identical tariff sheets in File No. EO-2020-0312 and File No. ER-2020-0311. The tariff sheets were assigned Tariff No. JE-2020-0171. On April 6, 2020, Liberty-Empire filed a substitute tariff to correct an error in the tariff sheet.

³ 20 CSR 4240-20.090(9)(F).

2. This order does not approve a tariff sheet. The substitute tariff sheet assigned Tariff No. JE-2020-0171 will be addressed by proceedings in File No. ER-2020-0311.

3. This order shall be effective on May 31, 2020.

4. This file shall close on June 1, 2020.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Jacobs, Regulatory Law Judge

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 21st day of May 2020.**




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

May 21, 2020

File/Case No. EO-2020-0312

**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,



**Morris L. Woodruff
Secretary**

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