

**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	)	Case No. ER-2024-0261
For Electric Service Provided to Customers	)	
In its Missouri Service Area	)	

**RESPONSE TO INTERVENTION APPLICATIONS  
AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW The Empire District Electric Company d/b/a Liberty (“Liberty” or the “Company”), and for its Response Regarding Intervention Applications and Motion for Expedited Treatment, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. On July 21, 2025, Staff filed direct testimony on rate design in this proceeding, proposing a large load tariff schedule for Liberty pursuant to newly enacted SB4 (codified at RSMo. §393.130.7, effective August 28, 2025). Staff’s proposal prompted Evergy and Ameren Missouri to seek intervention in Liberty’s rate case, specifically to participate in any determination regarding Liberty’s large load tariff schedule. The Company respectfully submits that the design of a large load tariff schedule is a matter of significant importance to Missouri’s economic development and should not be rushed. A thoughtful, collaborative approach is essential to ensure the tariff is appropriately tailored to Liberty’s unique service territory and stakeholder needs. While the Company appreciates Staff’s efforts and the consideration reflected in its proposal, Liberty believes the issue warrants focused attention in a dedicated docket rather than being addressed within the broader context of its pending general rate case. A standalone proceeding will allow for more robust engagement among all interested parties and ensure the development of a tariff that best supports economic growth and system reliability. Liberty intends to propose a large load tariff that reflects its specific operational and customer needs and looks forward to working

collaboratively with Staff and other stakeholders in a separate, dedicated docket devoted to this issue.

2. By way of background, on July 21, Staff witnesses J Luebbert, Sarah Lange, and Brooke Mastrogiannis filed testimony proposing a large load tariff schedule for Liberty, contending that the proposed tariff is “based on industry best practice and [Staff’s] review of the risks, costs, and expenses associated with service to customers in excess of 25 MW.” Ten days later, Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (collectively, “Evergy”) and Union Electric Company d/b/a Ameren Missouri filed intervention applications in Liberty’s rate case, given that they each have dockets with such issues under consideration. *See* Evergy (Case No. EO-2025-0154) and Ameren Missouri (Case No. ET-2025-0184). While Liberty does not oppose these limited intervention requests if a large load tariff schedule remains an issue in this proceeding, the Company notes that the interventions will be mooted should the Commission grant Liberty’s request to remove Staff’s proposal from this docket and have the issue addressed in a dedicated docket.<sup>1</sup>

3. Liberty intends to propose an approach to serve large loads within its service territory, consistent with RSMo. §393.130.7, which requires that the Company “shall develop and submit to the commission such schedules applicable to customers who are reasonably projected to have above an annual peak demand of fifty megawatts or more.” The statutory provision also provides that the Commission may order electrical corporations “to submit similar tariffs to reasonably ensure that the rates of customers who are reasonably projected to have annual peak demands below the above-referenced levels will reflect the customers' representative share of the

---

<sup>1</sup> Liberty would not object to Evergy’s and Ameren Missouri’s interventions in any such separate proceeding, to be initiated by Liberty at a later date.

costs incurred to serve the customers and prevent other customer classes' rates from reflecting any unjust or unreasonable costs arising from service to such customers.”

4. Because rebuttal testimony is due in this rate proceeding by August 18, 2025, the Company requests that the Commission act expeditiously on the request to remove Staff’s large load tariff proposal, as it is more appropriate and reasonable to handle this issue in a dedicated docket rather than being addressed within the broader context of this pending general rate case, and deny as moot the pending intervention applications. The harm that will be avoided by an expedited ruling, by August 8, 2025, includes the impact on Liberty’s (and other parties’) ability to properly prepare rebuttal testimony on a matter of significant importance to Missouri’s economic development and obtain valuable input from stakeholders that are not involved in the rate case, such as potential large load customers; and all parties will benefit from having certainty regarding whether the large load tariff issue will be a part of this general rate proceeding. There will be no negative effect on Liberty’s customers or the general public if the Commission acts by the requested date, as there is no requirement in RSMo. §393.130.7 that such a new tariff be placed in effect by a date certain. This filing was made as soon as possible after reviewing Staff’s direct rate design testimony and the intervention applications.

WHEREFORE, Liberty respectfully requests an order of the Commission removing from this rate case the portions of Staff’s direct rate design testimony that propose a large load tariff schedule for Liberty and denying the pending intervention applications as moot. Liberty requests such further relief as is just and proper under the circumstances.

ATTORNEYS FOR THE EMPIRE DISTRICT  
ELECTRIC COMPANY d/b/a LIBERTY

/s/ Diana C. Carter  
Diana C. Carter MBE #50527  
Jermaine Grubbs MBE #68970  
602 S. Joplin Ave.

Joplin, Missouri 64801  
Joplin Office Phone: (417) 626-5976  
Cell Phone: (573) 289-1961  
E-Mails: Diana.Carter@LibertyUtilities.com  
Jermaine.Grubbs@LibertyUtilities.com

Dean L. Cooper MBE #36592  
BRYDON, SWEARENGEN & ENGLAND, P.C.  
312 East Capital Avenue  
P.O. Box 456  
Jefferson City, Missouri 65702  
Phone: (573) 635-7166  
E-Mail: dcooper@brydonlaw.com

James G. Flaherty, #11177  
ANDERSON & BYRD, LLP  
216 S. Hickory ~ P.O. Box 17  
Ottawa, Kansas 66067  
(785) 242-1234, telephone  
(785) 242-1279, facsimile  
jflaherty@andersonbyrd.com

**CERTIFICATE OF SERVICE**

I hereby certify that the above document was filed in EFIS on this 5<sup>th</sup> day of August, 2025, with notification of the same being sent to all counsel of record, and I further certify that the above document was sent by electronic transmission to all counsel of record.

/s/ Diana C. Carter