

**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 |) | <u>Case No. ER-2024-0261</u> |
| Authority to File Tariffs Increasing Rates |) | |
| for Electric Service Provided to Customers |) | |
| In its Missouri Service Area |) | |

REPLY BRIEF OF THE CONSUMERS COUNCIL OF MISSOURI

The initial briefs of the Empire District Electric Company d/b/a Liberty (“Liberty” or “Company”), and of other signatories to the October 6, 2025 Non-Unanimous Stipulation and to the December 12, 2025 Supplemental Non-Unanimous Global Stipulation and Agreement, tout the benefits of those agreements. However, those parties still fail to explain how the Commission can approve a rate increase now (even a conditional future rate increase), based upon the evidence of a test year period reviewed in this rate case which shows such overwhelming instances of inaccurate billings and poor customer service.

On November 6, 2024, Liberty submitted this general rate case filing based upon a test year *ending September 30, 2023, updated through September 30, 2024*. The parties agreed that this test period would be the subject of this rate case, although there was considerable difficulty in ultimately getting the data for this time period updated. Missouri law does not allow electric corporations to use a future test year. Liberty choose the test year that it wanted to be analyzed and used for the purposes of the Commission’s

ratemaking determinations “all relevant factors” in this proceeding.¹ This utility should not now be given the unusual exception of having its electric rates based on some potential future performance, according to a piecemealed set of yet-to-be-determined (outside the test year) data points.

Hundreds of Liberty customers took time out of their day to tell the Commission about inaccurate billings and poor customer service. The record includes the sworn testimony of those customers, plus hundreds of online comments. The statements of these customers should not be ignored. The weight of this evidence is overwhelming that Liberty’s billing and customer service standards fall far below Missouri’s “safe and adequate and in all respects just and reasonable” standard.² In a rate case such as this, the utility bears the burden of proving that it deserves a rate change. Liberty fails to meet that burden of proof in this case. The only correctly legal result in this matter will be for the Commission to reject Liberty’s request for a rate increase based on the chosen and approved test year data already entered into the record. This result will allow Liberty to improve its service, and to then come back and submit a different test year for review in its next general rate case.

Customer service issues are not addressed in the proposed December 12, 2025 Supplemental Non-Unanimous Global Stipulation and Agreement, and was not addressed in Liberty’s initial brief. If the Commission is to consider future data points (outside the evidentiary record) regarding how often Liberty complies with the Commission’s billing rules, as that supplemental stipulation asks the Commission to do,

¹ 393.140(11) RSMo.; State ex rel. Utility Consumers Council of Missouri, Inc. v. Public Service Comm’n, 585 S.W.2d 41, 56–58 (Mo. banc 1979).

² Section 393.130.1 RSMo.

it should also consider future data points regarding *customer service*. One such data point is now publicly available.³ The newly released “J.D. Power 2025 U.S. Electric Utility Residential Customer Satisfaction Study” shows that Liberty is next-to-worst in customer satisfaction of regulated utilities in its category.⁴

Respectfully submitted,

/s/ John B. Coffman

John B. Coffman MBE #36591
John B. Coffman, LLC
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
Ph: (573) 424-6779
E-mail: john@johncoffman.net

Attorney for Consumers Council of Missouri

Dated: December 23, 2025

³ https://www.jdpower.com/business/press-releases/2025-us-electric-utility-residential-customer-satisfaction-study?utm_campaign=14057559-2025%20UTL%20Electric%20Residential%20EUR&utm_medium=email&hsenc=p2ANqtz-Xw-PB5MSnZCyCMXphWpW4dSMdPy7KudTNAd0-jmSKfuRmSgenMksy82rfj_ZEVvdy3enoslsYOiY0xXRC33Zvld1gnUfmRglhtAVJub5bQOMAHYU&hsmi=394930117&utm_content=394930117&utm_source=hs_email

⁴ Excerpts of this release are attached to this brief.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties listed on the official service list on this 23rd day of December 2025.

/s/ John B. Coffman

Residential Electric Utility Satisfaction Ranks Lowest among J.D. Power Residential Utility Studies

TROY, Mich.: 17 Dec. 2025 — According to the J.D. Power 2025 U.S. Electric Utility Residential Customer Satisfaction Study,SM released today, rising costs are the primary driver of declining satisfaction among residential utility customers. Overall customer satisfaction has dropped to 499 (on a 1,000-point scale), the lowest score recorded across J.D. Power residential utility studies. Average monthly residential electric utility costs have surged 34% since 2020, reaching \$189 for the full year 2025—the highest annual average ever measured by J.D. Power. Notably, bill amounts in Q4 2025 climbed even higher, reaching \$206.

“With energy prices now one of the top concerns for customers, utilities must be clear and proactive with customer communications,” said **Mark Spalinger, director of utilities intelligence at J.D. Power**. “Study data shows that customers expect their utilities to deliver reliable service, provide easy access to information and frequent updates on outages and planned restoration. When utilities streamline billing and digital self-service, and deliver timely outage alerts, satisfaction rises even in a cost-pressured environment.”

Study Results

The following utilities rank highest in customer satisfaction in their respective region:

- East Large Segment: **PSE&G** (for a fourth consecutive year)
- East Midsize Segment: **Green Mountain Power**
- Midwest Large Segment: **MidAmerican Energy** (for a fourth consecutive year)
- Midwest Midsize Segment: **Otter Tail Power Company**
- South Large Segment: **Georgia Power** (for a fourth consecutive year)
- South Midsize Segment: **EPB** (for a 10th consecutive year)
- West Large Segment: **SRP** (for a 24th consecutive year)
- West Midsize Segment: **Clark Public Utilities**
- Cooperatives Segment: **Sawnee EMC** (for a second consecutive year)

The 2025 U.S. Electric Utility Residential Customer Satisfaction Study is based on responses from 127,103 online interviews conducted from January through November 2025 among residential customers of the 152 largest electric utility brands in the United States, which represents more than 109 million households.

For more information about the U.S. Electric Utility Residential Customer Satisfaction Study, visit <https://www.jdpower.com/business/resource/electric-utility-residential-customer-satisfaction-study>.

To view the online press release, please visit <http://www.jdpower.com/pr-id/2025167>.

About J.D. Power

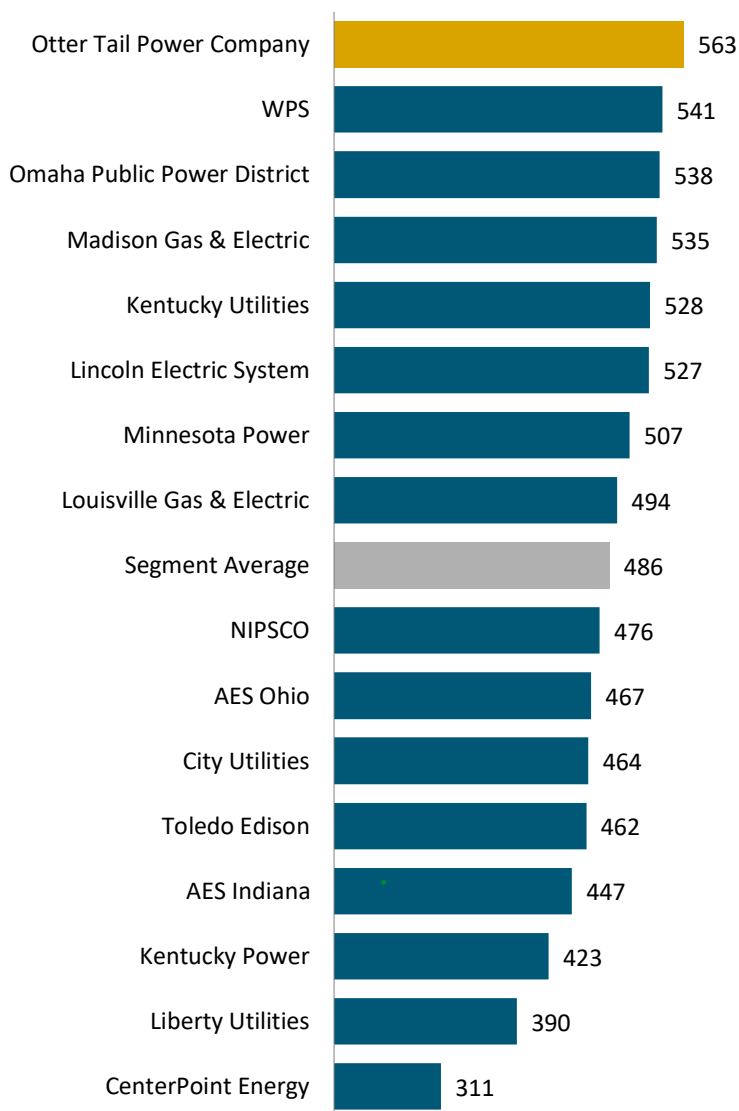
J.D. Power is a global leader in consumer insights, advisory services, and data and analytics. A pioneer in the use of big data, artificial intelligence (AI) and algorithmic modeling capabilities to understand consumer behavior, J.D. Power has been delivering incisive industry intelligence on customer interactions with brands and products for more than 55 years. The world's leading businesses across major industries rely on J.D. Power to guide their customer-facing strategies.

J.D. Power 2025 U.S. Electric Utility Residential Customer Satisfaction StudySM

Overall Customer Satisfaction Index Ranking

(Based on a 1,000-point scale)

Midwest Region: Midsize Segment



Source: J.D. Power 2025 U.S. Electric Utility Residential Customer Satisfaction StudySM

Charts and graphs extracted from this press release for use by the media must be accompanied by a statement identifying J.D. Power as the publisher and the study from which it originated as the source. Rankings are based on numerical scores, and not necessarily on statistical significance. No advertising or other promotional use can be made of the information in this release or J.D. Power survey results without the express prior written consent of J.D. Power.