

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of The Empire)
District Electric Company d/b/a Liberty for a)
Certificate of Convenience and Necessity to) **File No. EA-2026-0299**
Support Resource Adequacy)

STAFF'S STATUS REPORT AND MOTION TO EXTEND DEADLINE FOR PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and, for its report and motion to extend the proposed procedural schedule deadline to March 30, 2026, states as follows:

1. Summary of Liberty’s Application

On October 24, 2025, The Empire District Electric Company d/b/a Liberty (“Liberty” or “Company”) filed an application for a certificate of convenience and necessity (“CCN”) under § 393.170, RSMo, and Commission Rule 20 CSR 4240-20.045. In that filing, Liberty sought authority to construct a new generating asset at its State Line Power Station in Joplin, Missouri, in order to support resource adequacy. Specifically, Liberty proposed construction of a single F-class combustion turbine with an approximate capacity of 250 MW, to be fueled primarily by pipeline natural gas, with Jet A as a backup fuel. Liberty’s application states that the project would also include related interconnection and supporting facilities, including a generator step-up transformer and a new transmission line connection to the existing State Line substation. Liberty represented that construction would begin in late 2028 or early 2029 and that the unit would be available for service in the second quarter of 2030.

Liberty's application further states that the proposed project is intended to implement the supply-side acquisition strategy set out in Liberty's 2025 Integrated Resource Plan and is presented as necessary to address evolving Southwest Power Pool resource adequacy requirements. Liberty asserts that the proposed F-class combustion turbine was selected following a technology and site evaluation process and that it was chosen because it allegedly offered the lowest installed capacity cost per kilowatt among the options considered. Liberty also states that it intends to finance the project through a combination of internally generated cash and borrowings, and that the project is economically feasible and in the public interest under the Tartan factors.

In summary, Liberty's October 24 filing asks the Commission to approve, as then proposed, a 250 MW combustion-turbine project at State Line and to find that project necessary or convenient for the public service.

2. Procedural History

On October 24, 2025, Liberty filed its application and direct testimony in support of its request for a CCN. Thereafter, between November 11, 2025, and February 23, 2026, Staff promulgated eighty-five (85) data requests upon Liberty. Those data requests were based on Liberty's application, the Company's direct testimony, and follow-up information needs arising from Liberty's responses. On December 30, 2025, the Commission ordered Staff to file either a recommendation or a status report no later than March 16, 2026. On March 3, 2026, Liberty requested that the Commission establish a procedural schedule. On March 5, 2026, the Commission set this matter for a local public hearing on April 16, 2026, and further

ordered the parties to file a proposed procedural schedule no later than March 16, 2026.

3. Staff's Investigation to Date

In reliance upon Liberty's October 24, 2025, application, the direct testimony filed in support thereof, and the information obtained through Staff's eighty-five data requests, Staff has conducted its investigation of the proposal as filed. That investigation has been conducted based upon the proposal Liberty presented in its application and testimony and as illuminated through discovery to date. Staff's review has therefore necessarily tracked the project Liberty represented it was proposing in that filing.

4. Liberty's Forthcoming Supplemental Direct Testimony

Quite recently, however, Liberty has advised Staff that it intends to file supplemental direct testimony on Thursday, March 12, 2026. Staff understands that this supplemental filing will constitute Staff's first meaningful opportunity to review Liberty's actual updated proposal. Until that filing has been made, Staff will not know the full particulars of Liberty's proposal with sufficient certainty to allow Staff to responsibly propose a litigation schedule on March 16. Among other things, Staff does not yet know the specific contours of the updated proposal, including such matters as the proposed generator type or types, size, and estimated cost or budget. Once Liberty files its supplemental direct testimony, Staff will need time to review that filing, determine the extent to which Liberty's proposal differs from the proposal originally presented, perhaps revise its discovery trajectory accordingly, evaluate whether

existing data requests remain adequate, and, as necessary, promulgate additional discovery tailored to the actual proposal now being advanced.

Thus, until Staff knows the specific contours of the proposal actually before the Commission, Staff cannot reasonably anticipate or predict the timing and sequencing of further proceedings. Staff respectfully submits that setting a procedural schedule based on March 16 filings under such circumstances would be premature and inefficient.

5. Requested Relief

For all of these reasons, Staff respectfully submits that the Commission's current proposed procedural schedule of March 16, 2026, deadline should be extended by two weeks.

WHEREFORE, Staff respectfully files this report, and moves the Commission to extend the March 16 deadline to March 30, 2026, and to grant other and further relief as the Commission deems just in the circumstances.

Respectfully Submitted,

/s/ Paul T. Graham #30416

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CERTIFICATE OF SERVICE

The undersigned by his signature below certifies that the foregoing pleading was served upon all persons who have entered an appearance of record in this matter on this March 12, 2026, by electronic filing in EFIS.

/s/ Paul T. Graham