

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held by telephone
and internet audio conference on
the 12th day of May, 2021.

In the Matter of the 2022 Triennial	)	
Compliance Filing Pursuant to 20 CSR	)	<u>File No. EO-2021-0331</u>
4240-22 by The Empire District Electric	)	
Company d/b/a Liberty	)	

ORDER APPROVING AGREEMENT

Issue Date: May 12, 2021

Effective Date: June 11, 2021

On April 1, 2021, The Empire District Electric Company d/b/a Liberty (Empire) filed an Application (Application) asking the Commission to grant it variances from certain requirements of the Commission's Integrated Resource Planning Rule, 20 CSR 4240-22.030 and 20 CSR 4240-20.094. The requested variances will affect Empire's next triennial IRP filing, which is due by April 1, 2022. On April 25, 2021, Empire, the Staff of the Commission (Staff), and the Office of the Public Counsel (OPC) filed a Notice of Agreement Regarding Application for Variances (Agreement).¹

Appendix A (Demand-Side Resource Analysis) and Appendix B (Load Analysis and Load Forecasting) to the Application identified the specific portions of the Rules for which Empire is requesting variances, as well as the justification for the granting of those requests. For the demand-side resource analysis, the parties agreed that collecting Missouri Energy Efficiency Investment Act (MEEIA) data and incorporating the data into the 2022 IRP analysis would not likely be feasible. This is because such collection could jeopardize submission by the 2022 IRP filing deadline. Therefore, the parties agreed that

¹ Dogwood Energy, LLC intervened, and did not object to the Agreement.

the demand-side resource analysis variance requests should be approved for the 2022 IRP, but on the condition that Empire agree to begin conducting residential and commercial surveys to collect the primary data needed for future market potential studies as soon as practical. Staff and OPC do not object to the variance requests in Appendix B.

The Commission may resolve any part of this proceeding on the basis of a stipulation and agreement.² After reviewing the agreement, the Commission finds and concludes that the Agreement is a reasonable resolution of the issues. The Commission will approve the Agreement.

THE COMMISSION ORDERS THAT:

1. The Notice of Agreement is approved.
2. Empire is granted variances from the provisions of Commission Rules 20 CSR 4240-22.030 and 20 CSR 4240-20.094 related to the Demand-Side Resource Analysis and Load Analysis and Forecasting of Electric Utility Resource Planning that are described in the Application Appendix A, as modified by the Agreement, and Application Appendix B.
3. This order shall be effective on June 11, 2021.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, and
Holsman, CC., concur.
Kolkmeier, C., abstains.

Pridgin, Regulatory Law Judge

² Commission Rule 20 CSR 4240-2.115(1)(B).

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 12th day of May, 2021.




Morris L. Woodruff
Secretary



Digitally signed by MOPSC
DN: CN=MOPSC, O=MOPSC, OU="",
E=kim.happy@psc.mo.gov, C=US
Reason: I attest to the accuracy and
integrity of this document
Location: Cole County, Missouri
Date: 2021.05.12 10:51:56-05'00'
Foxit PhantomPDF Version: 10.1.1

MISSOURI PUBLIC SERVICE COMMISSION

May 12, 2021

File/Case No. EO-2021-0331

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounselservice@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@opc.mo.gov

Dogwood Energy, LLC

Carl J Lumley
130 S. Bemiston, Ste. 200
St. Louis, MO 63105
clumley@chgolaw.com

Liberty (Empire)

Diana C Carter
428 E. Capitol Avenue, Suite 303
Jefferson City, MO 65101
Diana.Carter@LibertyUtilities.com

**Missouri Public Service
Commission**

Whitney Payne
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
whitney.payne@psc.mo.gov

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.