BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric Company d/b/a Liberty's Application for Approval of New or Modified Tariffs for Service to Large Load Customers	))))	**File No. ET-2026-0184** Tracking No. JE-2027-0036

JOINT RESPONSE TO APPLICANT'S PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through undersigned counsel, and on behalf of itself and the Office of the Public Counsel ("OPC") respectfully states as follows:

1. On January 16, 2026, The Empire District Electric Company d/b/a Liberty ("Liberty") filed its *Notice of Intended Case Filing*.

2. On July 1, 2026, Liberty filed its *Motion for Extension of Time*, requesting the Commission extend the 180-day deadline set out in Rule 20 CSR 4240-017(1) for thirty days.

3. On August 11, 2026, Liberty filed its *Second Motion for Extension of Time*, requesting the Commission again extend the 180-day deadline set out in Rule 20 CSR 4240-017(1) for thirty days.

4. On September 11, 2026, Liberty filed an application ("Application") and supporting testimony requesting approval of a large load customer rate plan, associate tariffs, a variance, and authorization to track revenues.

5. On September 14, 2026, the Commission issued its *Order Directing Notice, A Staff Pleading, Setting an Intervention Deadline, and Suspending Tariff* (the "Order"),

which set an October 12, 2026, deadline for applications to intervene and for Staff to file a pleading indicating when it can file a recommendation regarding the Application.

6. On October 9, 2026, Staff filed *a Status Report and Request for Prehearing Conference Commission Order*, requesting that the Commission schedule a Prehearing Conference, where the date by which Staff may file its Staff Recommendation will be discussed and included in a future procedural schedule or a similar schedule with proposed dates for filing of testimony.

7. On October 15, 2026, the Commission entered its *Order Setting WebEx Procedural Conference*, setting a Procedural Conference on October 16, 2026, at 1:00 p.m. The Procedural Conference was held on October 16, 2026, and also on October 16, 2026, the Commission issued its *Notice of Rulings at Procedural Conference* (the "October Order"). The October Order states that the Regulatory Law Judge granted the intervention applications of Renew Missouri Advocates d/b/a Renew Missouri ("Renew Missouri"), Google LLC ("Google"), and Midwest Energy Consumers Group ("MECG"). Additionally, the parties were granted until October 30, 2026, to file a proposed procedural schedule.

8. On October 30, 2026, Liberty filed its proposed procedural schedule, which in part included a January 15, 2027, date for a Staff Recommendation / Rebuttal & Intervenor Rebuttal; a January 29, 2027, date for Surrebuttal & Cross-Surrebuttal and the close of discovery; an Evidentiary Hearing proposed for February 16-19, 2027; Initial Briefs fewer than 10 days after that proposed Evidentiary Hearing on February 26, 2027; and, Reply Briefs on March 5, 2027 ("Liberty's Proposed Schedule").

9. Also on October 30, 2026, Staff filed on behalf of itself, OPC, Renew Missouri, Google, and MECG, a *Joint Proposed Procedural Schedule* setting forth February 4, 2027, as the date for a Staff Recommendation / Rebuttal and Intervenor Rebuttal; March 19, 2027, for Surrebuttal and Cross-Surrebuttal; an Evidentiary Hearing proposed for April 26-30, 2027, and Initial and Reply Briefs on June 4, 2027, and June, 18, 2027, respectively.

10. Staff and the OPC appreciate the time the parties have invested in seeking mutually agreeable dates for the proposed procedural schedule and equally appreciates all the Intervenors joining with the version filed by Staff. Unfortunately, Liberty's Proposed Schedule is far too accelerated to be achievable.

11. As relayed to Liberty while seeking mutually agreeable dates for the proposed procedural schedule, settlement conferences in Case Nos. WR-2026-0304 and ER-2026-0291 are scheduled from February 16-19, 2027, and the following week has an evidentiary hearing in a CCN case, Case No. EA-2026-0343. Additionally, the suggested date in Liberty's Proposed Schedule regarding the Staff Recommendation / Rebuttal & Intervenor Rebuttal coincides with a testimony deadline already established in Case No. ER-2026-0291.

12. Staff and the OPC are concerned that the Liberty schedule's coincidence of the date for Surrebuttal and Cross-Surrebuttal testimony with the close of discovery precludes any discovery concerning Surrebuttal and Cross-Surrebuttal testimony.

13. Staff and the OPC are also concerned about Liberty's proposed initial briefing deadline, where Staff typically tries to build in at least three weeks between the end of the

hearing and the filing of briefs, as Staff does not usually anticipate receiving hearing transcripts less than a week after the hearing ends.

14. Additionally, Staff and the OPC note that the Commission calendar for March is packed with evidentiary hearings for Case Nos. WR-2026-0304 and ER-2026-0291; WR-2026-0304 is scheduled for evidentiary hearing from March 1-12, 2027, and ER-2026-0291 from March 15-26, 2027. Staff and the OPC require sufficient time to prepare for these already-scheduled hearings and Liberty's expedited request and accelerated proposed schedule, after it requested two extensions early on in this matter, prohibits Staff and the OPC from effectively providing information to the Commission on these already-scheduled cases.

WHEREFORE, Staff and the OPC respectfully submit this *Joint Response to Applicant's Proposed Procedural Schedule*, and respectfully requests the Commission accept the same and issue an order setting dates and procedures as set forth in the *Joint Proposed Procedural Schedule* filed by Staff on behalf of itself, OPC, Renew Missouri, Google, and MECG, and for such other and further relief as may be appropriate under the circumstances.

Respectfully submitted,

/s/ Travis J. Pringle
Travis J. Pringle
Missouri Bar No. 71128
Alexandra Klaus
Missouri Bar No. 67196
Andrea Hansen
Missouri Bar No. 73737
Tracy Johnson
Missouri Bar No. 65991
P.O. Box 360
Jefferson City, Mo 65102-0360
(573) 751-5700 (Telephone)
(573) 526-1500 (Facsimile)
(Email) travis.pringle@psc.mo.gov
Attorneys for the Staff of the Missouri Public Service Commission

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all parties and/or counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 6th day of November, 2026.

/s/ Travis J. Pringle