

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of The Empire District)
Electric Company for an Accounting Authority Order)
Allowing The Empire District Electric Company to) Docket No. 20-EPDE-427-ACT
Record and Preserve Costs and Lost Revenues Related to)
the COVID-19 Virus)

In the Matter of the Application of The Empire District)
Electric Company for Approval of Temporary Waivers)
of Certain of Empire's Tariffs and for Approval of a)
Process to Implement Temporary Waivers of Certain) Docket No. 20-EPDE-448-MIS
Other Rules and Regulations, Billing Standards, General)
Terms and Conditions and to Allow Operating Changes)
to Address the COVID-19 Pandemic)

**MOTION TO EXTEND STAY ISSUED IN DOCKET NO. 20-EPDE-448-MIS
THROUGH SEPTEMBER 30, 2021 AND CLARIFICATION THAT THE
ACCOUNTING AUTHORITY ORDER GRANTED IN
DOCKET NO. 20-EPDE-427-ACT COVERS THE PERIOD
AT LEAST THROUGH SEPTEMBER 30, 2021**

The Empire District Electric Company ("Liberty-Empire") submits the following motion to extend the stay of enforcement of regulations and tariffs process approved by the Commission in Docket No. 20-EPDE-448-MIS ("448 Docket") through September 30, 2021. Liberty-Empire is also seeking clarification that the Accounting Authority Order ("AAO") granted in Docket No. 20-EPDE-427-ACT ("417 Docket") covers the period at least through September 30, 2021. In support of its motion, Liberty-Empire states:

1. On September 3, 2020, Commission Staff ("Staff") submitted a Report and Recommendation ("Staff R&R") regarding the Application filed by Liberty-Empire in the 448

Docket.¹ On September 8, 2020 Liberty-Empire filed a response in support of the Staff R&R.² CURB also filed a response in support of the Staff R&R.³

2. On October 6, 2020, the Commission issued an Order finding Staff's recommendations to be a reasonable compromise, granting Liberty-Empire's application, as modified, indicating the stay of enforcement process set forth therein shall remain in effect until December 31, 2020.⁴

3. The Order also indicated Liberty-Empire could request an extension of the process in the event the COVID-19 pandemic continued beyond 2020.⁵ Because the COVID-19 pandemic has continued beyond December 31, 2020, on December 2, 2020, Liberty-Empire filed a motion in the 448 Docket to extend the stay of enforcement process approved by the Commission in its October 6, 2020, Order through June 30, 2021.⁶ Liberty-Empire also requests permission to ask for a further extension beyond June 30, 2021, should such be necessary due to the COVID-19 pandemic.⁷ The motion is currently pending before the Commission.

4. As part of this Motion, Liberty-Empire seeks permission from the Commission to extend the stay issued in the 448 Docket through September 30, 2021. The request for the stay of enforcement will allow Liberty-Empire to continue to waive certain fees (late payment fees, disconnections, reconnection fees, credit card payment fees) for its customers. It will help those customers who are still struggling with the economic impact of the COVID-19 pandemic through the

¹Notice of Filing of Staff's Report and Recommendation ("Staff's R&R") filed September 3, 2020, 448 Docket.

²Empire's Response to Staff's R&R filed September 8, 2020, 448 Docket.

³CURB's Response to Staff's R&R filed September 9, 2020, 448 Docket.

⁴Order on The Empire District Electric Company Application filed October 6, 2020, page 6, ¶¶A, B, 448 Docket.

⁵*Id.*, ¶C.

⁶Empire Motion to Extend Stay filed December 2, 2020, page 3, ¶3, 448 Docket.

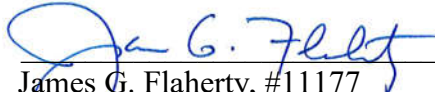
⁷*Id.*

2021 summer season.

5. As part of this Motion, Liberty-Empire is also seeking clarification that the AAO issued by the Commission in the 427 Docket will extend at least through September 30, 2021. Currently, the AAO runs through the "official end of the COVID-19 pandemic" or Empire's next general rate case, whichever occurs first. By clarifying that the AAO will run at least through September 30, 2021, Liberty-Empire will be allowed to request recovery of the waived fees under the AAO in its next rate case, subject to the qualifications and limitations placed on that AAO by the Commission.

6. Liberty-Empire has discussed its requests with Staff and CURB and neither have an objection to the requests.

WHEREFORE, for the reasons set forth herein, Liberty-Empire requests the Commission issue an Order extending the stay of enforcement procedure previously approved by the Commission through June 30, 2021 and to clarify that the AAO issued in the 427 Docket will run at least through September 30, 2021.



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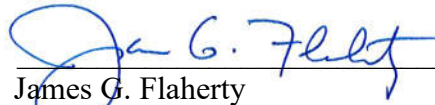
Attorneys for The Empire District Electric Company

VERIFICATION

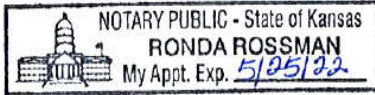
STATE OF KANSAS
COUNTY OF FRANKLIN, ss:

James G. Flaherty, of lawful age, being first duly sworn on oath, states:

That he is the attorney for The Empire District Electric Company, named in the foregoing Motion and is duly authorized to make this affidavit; that he has read the foregoing and knows the contents thereof; and that the facts set forth therein are true and correct.


James G. Flaherty

SUBSCRIBED AND SWORN to before me this 18th day of June, 2021.





Notary Public

Appointment/Commission Expires:

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via electronic mail this 18th day of June, 2021, addressed to:

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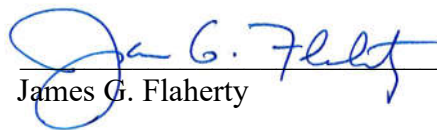
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