

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

The Matter of the Empire District Electric)
Company's Annual True-Up of Net Excess ADIT) Docket No. 24-EPDE-785-TAR
Pursuant to the Tax Charge Rider.)

SUSPENSION ORDER: JANUARY 27, 2025

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (the “Commission”) for consideration and decision. Having reviewed its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. Background

1. On May 31, 2024, the Empire District Electric Company d/b/a Liberty (“Liberty”) filed its tariff reflecting the annual true-up of Liberty’s Net Excess ADIT in Liberty’s Tax Change Rider.¹

II. Suspension Order

2. K.S.A. 66-117(c) states in part:

The commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its application requesting the proposed change. If the commission does not suspend the proposed schedule within 30 days of the date the same is filed by the public utility or common carrier, such proposed schedule shall be deemed approved by the commission and shall take effect on the proposed effective date.

¹ Application for The Empire District Electric Company (May 31, 2024).

3. A full investigation of the Application is deemed necessary and proper. Absent suspension, the Commission and its Staff are without sufficient time to fully review, consider, and analyze whether approval of the Application will result in just and reasonable rates.

4. The Commission finds and concludes that suspension of the effectiveness of the Application and deferral of its effective date are required to allow sufficient time for full investigation of this matter. The effectiveness of the Application is hereby suspended for a period of 240 days from the date it was filed, May 31, 2024, until Monday, January 27, 2025, pursuant to K.S.A. 66-117(c).² A Commission decision may be issued before such date.

THEREFORE, THE COMMISSION ORDERS:

A. Pursuant to K.S.A. 66-117(c), the Application in the above-captioned docket shall be suspended, and the effective date deferred, until January 27, 2025.

B. Electronic service shall be utilized for serving pleadings/motions and orders.

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).³

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 06/06/2024



Lynn M. Retz
Executive Director

PZA/ade

² The 240-day time period ends Sunday, January 26, 2025. Pursuant to K.S.A. 77-503(c), the deadline is extended until the end of the next day which is not a Saturday, a Sunday, or a legal holiday, which is Monday, January 27, 2025.

³ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

24-EPDE-785-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 06/06/2024.

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