

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

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

In the Matter of the Application of the Empire)
District Electric Company for an Order)
Approving Amendment No. 1 to the) Docket No. 26-EPDE-137-CON
Renewable Resource Energy Purchase)
Agreement with Elk River Windfarm, LLC.)

SUSPENSION ORDER: JUNE 29, 2026

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”). For consideration and determination. Having examined its files and records, the Commission finds and concludes:

1. On October 31, 2025, Empire District Electric Company, d/b/a Liberty (“Empire”) filed with the Commission an application to approve amendment number one to the renewable resource energy purchase agreement with Elk River Windfarm, LLC.¹

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 Empire District Electric Company, d/b/a/ Liberty Application (October 31, 2025).

3. A full investigation of the application, which may result in a hearing, 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 is proper.

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, October 31, 2025, until Monday, June 29, 2026, 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 June 29, 2026, pending further action by the Commission.

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: 11/06/2025



Celeste Chaney-Tucker
Executive Director

PJH

² Pursuant to K.S.A. 66-117(c) and K.S.A. 77-503(c), the 240-day time period is extended from Sunday, June 28, 2026 to Monday, June 29, 2026. K.S.A. 77-503(c) extends the deadline until the end of the next day which is not a Saturday, Sunday or a legal holiday.

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

CERTIFICATE OF SERVICE

26-EPDE-137-CON

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/06/2025.

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/S/ KCC Docket Room

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