

**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 Empire District Electric)
Company's Annual True-Up of Net Excess) Docket No. 24-EPDE-785-TAR
ADIT Pursuant to its Tax Change Rider)

ORDER GRANTING WITHDRAWAL AND CLOSING DOCKET

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its pleadings and records, the Commission makes the following findings:

1. On May 31, 2024, the Empire District Electric Company d/b/a Liberty ("Liberty") filed an Application to true-up its annual Net Excess Accumulated Deferred Income Tax in Liberty's Tax Change Rider.¹

2. On August 21, 2024, Liberty filed a Motion to Withdraw its Application and Cancel its Tax Change Rider.² As detailed in its Motion, Liberty requested to withdraw due to potential tax ramifications from pursuing its Application.³

3. Liberty states in its Motion that Commission Staff has indicated support for the request to withdraw the Application and cancel the Tax Change Rider tariff. The Commission also has granted intervention in the matter to the Citizens' Utility Ratepayer Board ("CURB").⁴ No party filed an objection or otherwise responded to Liberty's Motion.

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

² The Empire District Electric Company Motion to Withdraw Application and Cancel Tax Change Rider (Aug. 21, 2024) ("Motion to Withdraw").

³ See Motion to Withdraw, pp. 2-3.

⁴ Order Granting CURB's Petition to Intervene, Protective and Discovery Order (Jun. 13, 2024).

4. The Commission has reviewed Liberty's Motion and finds its request to withdrawal the Application is reasonable.

THEREFORE, THE COMMISSION ORDERS:

- A. Liberty's Application is hereby withdrawn.
- B. Liberty's Tax Change Rider tariff is hereby cancelled.
- C. This docket shall be closed.
- D. 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).⁵

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 10/15/2024



Lynn M. Retz
Executive Director

CRM

⁵ 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 10/15/2024.

PHOENIX Z. ANSHUTZ, ATTORNEY
PENNER LOWE LAW GROUP, LLC
245 N WACO STREET, STE 125
WICHITA, KS 67202
panshutz@pennerlowe.com

JOSEPH R. ASTRAB, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
joseph.astrab@ks.gov

ANGELA CLOVEN, THE EMPIRE DISTRICT ELECTRIC
COMPANY
EMPIRE DISTRICT ELECTRIC COMPANY
PO BOX 127
602 S JOPLIN AVENUE
JOPLIN, MO 64802-0127
regulatory.information@libertyutilities.com

JAMES G. FLAHERTY, ATTORNEY
ANDERSON & BYRD, L.L.P.
216 S HICKORY
PO BOX 17
OTTAWA, KS 66067
jflaherty@andersonbyrd.com

JOHN KIRBY
EMPIRE DISTRICT ELECTRIC COMPANY
602 S JOPLIN AVE
JOPLIN, MO 64801
john.kirby2@libertyutilities.com

TODD E. LOVE, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
todd.love@ks.gov

CARLY MASENTHIN, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
carly.masenthin@ks.gov

DAVID W. NICKEL, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
david.nickel@ks.gov

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
shonda.rabb@ks.gov

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
della.smith@ks.gov

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/S/ KCC Docket Room

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