

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

Before the Commissioners: Susan K. Duffy, Chari  
Shari Feist Albrecht  
Dwight D. Keen

In the Matter of the Application of The Empire )  
District Electric Company's Proposed Tariff )  
Revision of the Credit/Debit Card Transaction ) Docket No. 20-EPDE-459-TAR  
Amounts. )

**SUSPENSION ORDER: Monday January 4, 2021**

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

1. On May 8, 2020, The Empire District Electric Company ("Liberty-Empire") filed an application with the Kansas Corporation Commission for Approval of its Proposed tariff revision of the credit/debit card transaction amounts.<sup>1</sup>

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 classifications 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.

3. A full investigation of the proposed tariff revisions, which may result in a hearing, is deemed necessary and proper. Absent suspension, the Commission and its Staff are without

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<sup>1</sup> Liberty-Empire Application (May 8, 2020).

sufficient time to fully review, consider and analyze whether the proposed tariff revisions should be approved.

4. The Commission finds and concludes that suspension of the effectiveness of the tariff revisions proposed by Liberty-Empire is required to allow sufficient time for a 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, Friday, May, 8, 2020, until Monday January 4, 2021 pursuant to K.S.A. 66-117(c).<sup>2</sup> A Commission decision may be issued before such date.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

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 Monday, January 4, 2021. The Commission may issue a decision before such date.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established in K.S.A. 77-529(a)(1).<sup>3</sup>

C. The Commission retains jurisdiction over the subject matter and parties for the purposed of entering such further orders, as necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Duffy, Chair; Albrecht, Commissioner; Keen, Commissioner

Dated: 05/28/2020



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Lynn M. Retz  
Executive Director

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<sup>2</sup> The 240-day time period ends Sunday, January 3, 2021. 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 4, 2021.

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

## CERTIFICATE OF SERVICE

20-EPDE-459-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 05/28/2020.

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**CERTIFICATE OF SERVICE**

20-EPDE-459-TAR

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/S/ DeeAnn Shupe

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