

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

APPLICATION

The Empire District Electric Company (Liberty-Empire or Company), pursuant to K.S.A. 66-117, submits to the Kansas Corporation Commission (Commission) this Application to revise the authorized charge for credit and debit card transactions by customers.

In support of its Application, Liberty-Empire submits the following to the Commission:

1. The names, addresses, phone numbers and electronic mailing addresses of the persons authorized to receive notices and communications with respect to this Application on behalf of Liberty-Empire are as follows:

Sheri Richard
Director of Rates and Regulatory Affairs
Liberty Utilities (Central Region)
602 S. Joplin Ave., P.O. Box 127
Joplin, Missouri 64802-0127
Sheri.Richard@libertyutilities.com

Greg Tillman
Senior Manager, Rates and Regulatory Affairs
Liberty Utilities (Central Region)
602 S. Joplin Ave., P.O. Box 127
Joplin, Missouri 64802-0127
Greg.Tillman@libertyutilities.com

Angela Cloven
Coordinator, Rates and Regulatory Affairs
Liberty Utilities (Central Region)
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Joplin, Missouri 64802-0127
Angela.Cloven@libertyutilities.com

James G. Flaherty
ANDERSON & BYRD, LLP
216 S. Hickory, P.O. Box 17
Ottawa, Kansas 66067
(785) 242-1234
jflaherty@andersonbyrd.com

2. Applicant is an electric public utility operating in the State of Kansas pursuant to certificates of convenience and necessity issued by the Commission. Applicant's principal place of business is located at: 602 S. Joplin Ave., Joplin, Missouri 64801. Applicant serves approximately 10,000 customers located in southeast Kansas.

3. On December 6, 2004, in Docket No. 04-GIMX-651-GIV ("651 Docket"), the Commission issued an Order revising the Commission's Minimum Standards for Payment (Payment Standards) to allow utilities to charge for credit, debit, and ATM card payments made by Customers. Subsequent Orders in the 651 Docket maintained the original revision to the Commission's Payment Standards, with some clarifying statements, relating to treatment of credit card payments.

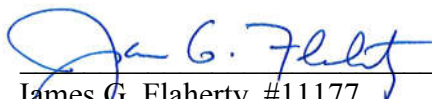
4. On June 1, 2006, the Commission issued in Docket No. 06-EPDE-661-TAR ("661 Docket") its Final Order approving the changes to Liberty-Empire's Rules and Regulations by allowing its electric customers the opportunity to pay their monthly bills by credit or debit card. Empire's payment methods are in compliance with the Minimum Standards and the Commission's existing Electric, Natural Gas and Water Billing Standards ("Billing Standards"). The Minimum Standards, Section I, states that the utility shall make a diligent effort to provide customers with a reasonably cost effective means of utilizing such payment methods.

5. In a recent review of its Kansas tariff sheets Liberty-Empire discovered that the fee customers pay to a third party to use a credit/debit card to pay their electric bill approved in 2006 by the Commission in the 661Docket was not changed to reflect the third party fee that went into effect

in 2013. The customers have paid the new third party fee since 2013. The third party fee for residential customers was reduced from \$3.95 to \$2.25 and the utility arranged for commercial customers to pay by credit/debit card for a third party fee of \$13.00. A red-line copy and clean copy of the tariff sheet showing the updated third party fees is attached to this Application as **Exhibit A** and is incorporated herein by reference. A confidential copy of the 2013 amendment with the third party is attached hereto as **Exhibit B** and is incorporated herein by reference.

6. The third party fee paid by customers to pay their electric bill by credit/debit card is similar to the fees paid by other utility customers in Kansas. In Docket No. 14-WSEE-589-TAR, the Commission approved a third party fee of \$2.95 for residential customers and 3.5% of the total bill for commercial customers for Westar Energy (now Evergy). In Docket No. 20-KGSG-076-TAR, the Commission approved a third party fee of \$2.15 for residential customers of Kansas Gas Service.

WHEREFORE, Liberty-Empire respectfully requests the approval of this Application as requested herein and for such other relief as the Commission should deem just and reasonable.



James G. Flaherty, #11177
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Diana Carter
Liberty Algonquin Business Services (USA)
Director of Legal Services
602 S. Joplin Ave.
Joplin, MO 64801
P: (417) 625-5976
E: Diana.Carter@libertyutilities.com

Attorneys for The Empire District Electric Company

VERIFICATION

STATE OF KANSAS
COUNTY OF FRANKLIN, ss:

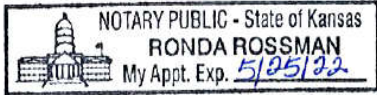
James G. Flaherty, of lawful age, being first duly sworn on oath, states:

That he is the attorney for The Empire District Electric Company named in the foregoing Application 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 8th day of May, 2020.





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 8th day of May, 2020, addressed to:

Terri Pemberton
t.pemberton@kcc.ks.gov

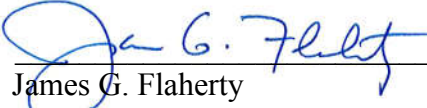
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James G. Flaherty

EXHIBIT A

THE EMPIRE DISTRICT ELECTRIC COMPANY

(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule Rules And Regswhich was filed 06-01-06Sheet 15**RULES AND REGULATIONS**Sheet 15 of 32 Sheets

Commission. After disconnection of service for non-payment of a bill should service be reconnected in accordance with the appropriate provisions of the Company's rules, regulations and tariffs, a reconnection charge shall be applied. Such reconnection charge shall be as provided in rules and regulations filed with and approved by the Commission.

- g. A charge, as stated in Schedule CA, will be charged for each insufficient funds check.

B. Payment Standards:

1. General Payment Provisions

- a. No Separate Fees: The customer shall not be assessed a separate fee for using any method of payment other than Credit Cards.
- b. Authorized Pay Agents: The Company may contract with non-utility business partners and authorize them to accept payments directly from customers on the Company's behalf.
- c. Unauthorized Pay Agents: Unauthorized Pay Agents have no contractual or other requirements to operate under rules approved by the Commission. They may include but are not limited to banks and other financial institutions, retail stores with "drop boxes" and/or third party businesses or individuals. The Company's acceptance of payment from an Unauthorized Pay Agent on behalf of a customer shall not be construed as acceptance of such agent's assurance to the customer as to timeliness or accuracy.
- d. Notification: The Company shall provide an annual notice to customer's informing them of authorized bill payment options and where they can find a list of authorized payment centers. The Notice shall be provided to the Commission for review at least 30 days prior to mailing. The information contained in the notice will also be included on the Company's internet web site.

2. Methods of Payment

- a. Payment by Mail: Customers may pay by mail.
- b. Pay in Person: Customers may make payments in person using a check, money order or cash. Payment may be made at a local Empire office or at an authorized pay station.
- c. Credit Cards: The Company may contract or make other arrangements with an Authorized Pay Agent to provide credit card payment options.
- d. Credit Card Fees: The Authorized Pay Agent may charge the customer an additional fee for the use of credit cards, residential customers will be charged \$2.25. Commercial customers will be charged \$13.00. The fees for payment by credit card will increase the customer's total responsibility above that of cash payment. The customer shall be advised, prior to providing the credit card number of the amount of any additional fee and must answer in the affirmative to proceed with the payment process. The Authorized Pay Agent shall be solely responsible for collecting the fee from the customer.
- e. Selection: The determination of credit card "brands" available for customers' payment shall be at the Company's sole discretion.
- f. Telephone: The Company shall ensure the toll-free telephone service is provided for customers to make credit card payment by telephone.

Issued May 07 2020
 Month Day Year

Effective Upon Commission Approval
 Month Day Year

By Sheri Richard Director, Rates and Regulatory Affairs
 Signature of Officer Title

THE EMPIRE DISTRICT ELECTRIC COMPANY
(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY
(Territory to which schedule is applicable)

Replacing Schedule Rules And Regs Sheet 15
which was filed June 27, 2009
06-01-06

RULES AND REGULATIONS

Sheet 15 of 32 Sheets

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2. Methods of Payment

- a. Payment by Mail: Customers may pay by mail.
- b. Pay in Person: Customers may make payments in person using a check, money order or cash. Payment may be made at a local Empire office or at an authorized pay station.
- c. Credit Cards: The Company may contract or make other arrangements with an Authorized Pay Agent to provide credit card payment options.
- d. Credit Card Fees: The Authorized Pay Agent may charge the customer an additional fee for the use of credit cards, residential customers will be charged \$2.25. Commercial customers will be charged \$13.00 of \$3.95. The fees for payment by credit card will increase the customer's total responsibility above that of cash payment. The customer shall be advised, prior to providing the credit card number of the amount of any additional fee and must answer in the affirmative to proceed with the payment process. The Authorized Pay Agent shall be solely responsible for collecting the fee from the customer.
- e. Selection: The determination of credit card "brands" available for customers' payment shall be at the Company's sole discretion.

Commission File Number _____

Issued: _____ **Filed:** _____
 Month Day Year
Effective: June 4 2006 **THE STATE CORPORATION COMMISSION OF KANSAS**
 Month Day Year
By: Kelly S Walters Vice President **By:** _____ Secretary
 Signature of Officer Title

Issued May 07 2020
 Month Day Year
Effective Upon Commission Approval
 Month Day Year
By Sheri Richard Director, Rates and Regulatory Affairs
 Signature of Officer Title

THE EMPIRE DISTRICT ELECTRIC COMPANY
(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY
(Territory to which schedule is applicable)

Replacing Schedule Rules And Regs Sheet 15
which was filed June 27, 2006-01-06

RULES AND REGULATIONS

Sheet 15 of 32 Sheets

- f. Telephone: The Company shall ensure the toll-free telephone service is provided for customers to make credit card payment by telephone.

Commission File Number _____

Issued: _____
Month Day Year

Filed: _____

Effective: June 4 2006
Month Day Year

~~THE STATE CORPORATION COMMISSION OF KANSAS~~

By: Kelly S Walters, VicePresident
Signature of Officer Title

By: _____, Secretary

Issued May 07 2020
Month Day Year

Effective Upon Commission Approval
Month Day Year

By Sheri Richard Director, Rates and Regulatory Affairs
Signature of Officer Title

THE STATE CORPORATION COMMISSION OF KANSAS

Index No. 3

THE EMPIRE DISTRICT ELECTRIC COMPANY

SCHEDULE CA

(Name of Issuing Utility)

Replacing Schedule CA Sheet 7

ALL TERRITORY

which was filed 06-01-06

(Territory to which schedule is applicable)

CHARGES RELATED TO CUSTOMER ACTIVITIES
SCHEDULE CA

Sheet 1 of 1 Sheets

AVAILABILITY:

This schedule is available to any customer requiring the special services listed below.

RATE:

Customer advance for temporary service line (per Rules and Regulations, Chapter III, Section B2c)	\$ 25.00
Charge for insufficient funds check (per Rules and Regulations, Chapter IV, A10g)	\$ 20.00
Customer charge for trip to premises to collect non-payment fee (per Rules and Regulations, Chapter IV, Section C9a).....	\$ 15.00
Reconnection fee (per Rules and Regulations, Chapter IV, C10c)	\$ 20.00
Charge for meter reading (per Rules and Regulations, Chapter IV, Section A3a).....	\$ 5.00
Charge for credit card transaction, per transaction	
Residential customer	\$ 2.25
Commercial customer	\$ 13.00

* The maximum provided by K.S.A. 60-2610 (the worthless check statute) is a charge not exceeding \$30.00.

Issued May 07 2020
Month Day Year

Effective Upon Commission Approval
Month Day Year

By Sheri Richard Director, Rates and Regulatory Affairs
Signature of Officer Title

THE EMPIRE DISTRICT ELECTRIC COMPANY

SCHEDULE CA

(Name of Issuing Utility)

Replacing Schedule CA Sheet 7

ALL TERRITORY

(Territory to which schedule is applicable)

which was filed 069-018-9406

CHARGES RELATED TO CUSTOMER ACTIVITIES
SCHEDULE CA

Sheet 1 of 1 Sheets

AVAILABILITY:

This schedule is available to any customer requiring the special services listed below.

RATE:

Customer advance for temporary service line (per Rules and Regulations, Chapter III, Section B2c)	\$ 25.00
Charge for insufficient funds check (per Rules and Regulations, Chapter IV, A10g)	\$ 20.00
Customer charge for trip to premises to collect non-payment fee (per Rules and Regulations, Chapter IV, Section C9a).....	\$ 15.00
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Charge for meter reading (per Rules and Regulations, Chapter IV, Section A3a)	\$ 5.00
Charge for credit card transaction.....	\$ 3.95
Residential customer	\$ 2.25
Commercial customer	\$ 13.00

* The maximum provided by K.S.A. 60-2610 (the worthless check statute) is a charge not exceeding \$30.00.

Issued May 07 2020
Month Day Year

Effective Upon Commission Approval June 1 2006
Month Day Year

By David W. Gibson Sheri Richard Vice President Director, Rates and Regulatory Affairs
Signature of Officer Title

EXHIBIT B

CONFIDENTIAL