

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of The Empire District)
Electric Company for an Accounting Authority Order)
Allowing The Empire District Electric Company to) Docket No. 20-EPDE-427-ACT
Record and Preserve Costs and Lost Revenues Related to)
the COVID-19 Virus)

In the Matter of the Application of The Empire District)
Electric Company for Approval of Temporary Waivers)
of Certain of Empire's Tariffs and for Approval of a)
Process to Implement Temporary Waivers of Certain) Docket No. 20-EPDE-448-MIS
Other Rules and Regulations, Billing Standards, General)
Terms and Conditions and to Allow Operating Changes)
to Address the COVID-19 Pandemic)

**MOTION TO EXTEND STAY ISSUED IN
DOCKET NO. 20-EPDE-448-MIS
THROUGH THE END OF THE PANDEMIC**

The Empire District Electric Company ("Empire") submits the following motion to extend the stay of enforcement of regulations and tariffs process approved by the Commission in Docket No. 20-EPDE-448-MIS ("448 Docket") through the end of the pandemic. In support of its motion, Empire states:

1. On September 3, 2020, Commission Staff ("Staff") submitted a Report and Recommendation ("Staff R&R") regarding the Application filed by Empire in the 448 Docket.¹ On September 8, 2020 Empire filed a response in support of the Staff R&R.² CURB also filed a response in support of the Staff R&R.³

¹Notice of Filing of Staff's Report and Recommendation ("Staff's R&R") filed September 3, 2020, 448 Docket.

²Empire's Response to Staff's R&R filed September 8, 2020, 448 Docket.

³CURB's Response to Staff's R&R filed September 9, 2020, 448 Docket.

2. On October 6, 2020, the Commission issued an Order finding Staff's recommendations to be a reasonable compromise, granting Empire's application, as modified, indicating the stay of enforcement process set forth therein shall remain in effect until December 31, 2020.⁴

3. The Order also indicated Empire could request an extension of the process in the event the COVID-19 pandemic continued beyond 2020.⁵ Because the COVID-19 pandemic has continued beyond December 31, 2020, on December 2, 2020, Empire filed a motion in the 448 Docket to extend the stay of enforcement process approved by the Commission in its October 6, 2020, Order through June 30, 2021.⁶ Empire also requested permission to ask for a further extension beyond June 30, 2021, should such be necessary due to the COVID-19 pandemic.⁷

4. On June 18, 2021, Empire filed a motion seeking to extend the stay including waiver of credit card fees through September 30, 2021.⁸

5. On July 8, 2021, the Commission granted Empire's motion to extend the stay until September 30, 2021.⁹

6. As part of this Motion, Empire seeks permission from the Commission to extend the stay issued in the 448 Docket through the end of the pandemic. The request for the stay of enforcement will allow Empire to continue to waive certain fees (late payment fees, disconnections, reconnection fees, convenience fees) for its customers. It will help those customers who are still

⁴Order on The Empire District Electric Company Application filed October 6, 2020, page 6, ¶¶A, B, 448 Docket.

⁵*Id.*, ¶C.

⁶Empire Motion to Extend Stay filed December 2, 2020, page 3, ¶3, 448 Docket.

⁷*Id.*

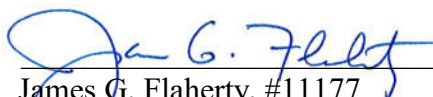
⁸Motion to Extend Stay filed June 18, 2021, 448 Docket, 427 Docket.

⁹Order Granting Empire's Motion filed July 8, 2021, 448 Docket and 427 Docket.

struggling with the economic impact of the COVID-19 pandemic through the end of the pandemic.¹⁰

7. Empire has discussed its requests with Staff and CURB and neither have an objection to the requests.

WHEREFORE, for the reasons set forth herein, Empire requests the Commission issue an Order extending the stay of enforcement procedure previously approved by the Commission through the end of the COVID-19 pandemic.



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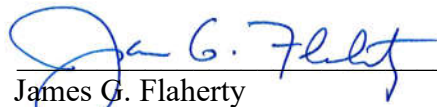
¹⁰The end of the pandemic assumes a declaration by the World Health Organization, Centers for Disease Control and Prevention, the federal government of the United States, or determination by the State of Kansas, unless otherwise determined by the Commission.

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 Motion to Extend Stay 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 22nd day of September, 2021.





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 22nd day of September, 2021, addressed to:

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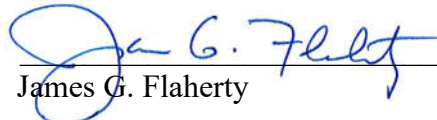
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