

LAW OFFICES

BRYDON, SWEARENGEN & ENGLAND

PROFESSIONAL CORPORAT70N

312 EAST CAPITOL AVENUE

P. O. BOX 456

JEFFERSON CITY, MISSOURI 65102-0456

TELEPHONE (573) 635-71 66

FACSIMILE (573) 635-3847

E-MAIL: QUEFY@BRYDONLAW.COM

DAVID V.G. BRYDON
JAMES C.SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAULA. BOUDREAU
SONDRA B.MORGAN
CHARLES E.SMARR

DEAN L. COOPER
MARK G. ANDERSON
GREGORY C. M17CHELL
BRIAN T. MCCARTNEY
BRIAN K. BOGARD
DIANA C. FARR
JANET E. WHEELER

OF COUNSEL
RICHARD T. CIOITONE

May 22, 2002

Mr. Dale Hardy Roberts
Executive Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

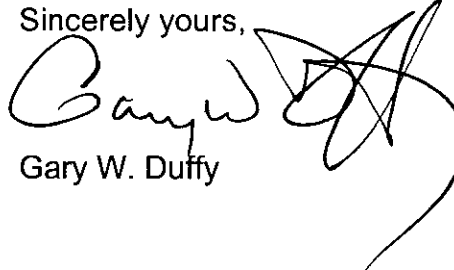
RE: Case No. ER-2002-1058
The Empire District Electric Company

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of a Motion to Extend Time for Response.

If you have any questions, please give me a call.

Sincerely yours,


Gary W. Duffy

Enclosures

cc w/encl:

Denny Frey, Office of the General Counsel
John Coffman, Office of Public Counsel
Dave Gibson

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric)	
Company's Proposed Changes to Extension)	Case No. ET-2002-1058
Rules and Charges to New Customers)	

MOTION TO EXTEND TIME FOR RESPONSE

Comes now The Empire District Electric Company ("Empire"), by and through its counsel, and for its motion respectfully states as follows:

1. In its "Order Suspending Tariff and Directing Notice" issued on May 14, 2002, the Commission directed that responses to Staffs motion to consolidate this case with Case No. ER-2002-424 be filed no later than May 23, 2002. The purpose of this motion is to request an extension of that date to July 22, 2002 to give the parties approximately sixty days to attempt to reach a resolution of the issues among themselves.

2. Representatives of Empire, the Staff of the Commission, and the Office of the Public Counsel met on May 20, 2002, and discussed particulars of the proposal by Empire and alternative procedural avenues for this case. As a result of those discussions, the parties have agreed to some informal discovery and an additional meeting in early June. This informal procedure and the additional time requested by this motion are designed to allow the parties to explore whether a resolution of the issues presented by this case is feasible.

3. Granting this extension will not prejudice anyone. If the parties do not reach a successful resolution of the issues presented by this case by that or an earlier

date, then Empire will file its response to the Staffs motion on July 22, 2002.

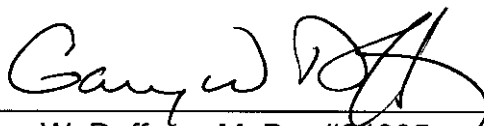
4. The Commission would then have more than thirty days to consider the response(s) to the Staffs motion and to issue an order before the August 23, 2002 scheduled filing date for tariffs and rate design testimony for parties other than Empire in Case No. ER-2002-424.

5. Empire therefore requests that the deadline for responses to Staffs motion to consolidate be postponed until July 22, 2002, sixty days from the original deadline. The parties mutually agreed to that date in their meeting on Monday, May 20.

6. Counsel for the Staff and the Office of the Public Counsel have reviewed this motion prior to its filing and consented to it being filed.

WHEREFORE, Empire requests that the deadline for responses to Staffs motion to consolidate be moved from May 23, 2002 to July 22, 2002.

Respectfully submitted,

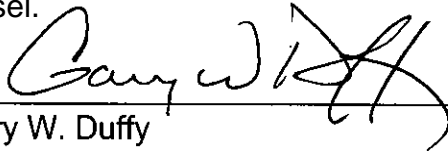
A handwritten signature in black ink, appearing to read "Gary W. Duffy", is written over a horizontal line.

Gary W. Duffy MoBar #24905
Brydon, Swearingen & England, P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
573-635-7166 (telephone)
573-635-3847 (fax)
Email: Duffy@Brydonlaw.com

ATTORNEYS FOR THE
EMPIRE DISTRICT ELECTRIC COMPANY

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing motion was served by hand delivery this 22ⁿd day of May 2002 upon the Office of the Public Counsel and the Office of the General Counsel.



Gary W. Duffy