

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

| | |
|--|-----------------------|
| In the Matter of the Tariff Filing of The Empire) | |
| District Electric Company to Implement a General) | Case No. ER-2004-0570 |
| Rate Increase for Retail Electric Service Provided) | |
| to Customers in its Missouri Service Area.) | |

**Joint Statement Of Concurrence Regarding Test Year And Update Period,
And Regarding True-Up**

COME NOW The Staff ("Staff") of the Missouri Public Service Commission ("Commission"), the Office of the Public Counsel ("Public Counsel"), Praxair, Inc. ("Praxair"), Explorer Pipeline Company ("Explorer") and the Missouri Department of Natural Resources ("DNR"), and respectfully state as follows:

1. On April 30, 2004, the Empire District Electric Company ("Empire") filed with the Commission proposed tariff sheets bearing an effective date of May 30, 2004, which are designed to increase permanent rates for electric service provided to retail customers in its Missouri service area
2. On May 5, 2004, the Commission issued its Suspension Order and Notice, Order Adopting Protective Order, Order Setting Hearings and Order Directing Filing, wherein, among other things, the Commission directed the Staff, Public Counsel, "and any persons or entities requesting intervention" to file by June 2, 2004, a pleading indicating concurrence in the Empire's recommended test year or recommended alternatives thereto. The Commission also directed the Staff, Public Counsel, and any intervenors to file a pleading concerning their recommendation regarding a true-up.
3. On May 5, 2004, Praxair filed an application to intervene in this case, which application was granted on May 20, 2004. Applications to intervene were filed by Explorer and DNR on May 20 and May 25, 2004, respectively. The Commission has yet to rule on these

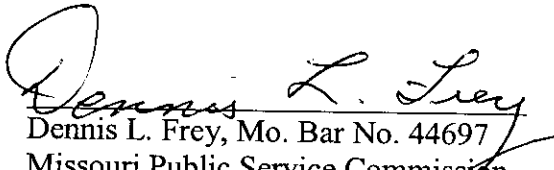
applications.

4. On May 14, 2004, Empire filed, pursuant to the Commission's May 5 Order, its Recommendation Concerning Proper Test Year, wherein Empire recommended that the Commission establish the twelve months ended December 31, 2003 as the test year in this proceeding, with an update period for all known and measurable changes through June 30, 2004. Empire also stated that it does not intend to request a true-up audit and hearing in this proceeding.

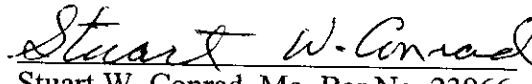
5. The undersigned hereby state that they concur in Empire's recommendation that the Commission establish the twelve months ended December 31, 2003 as the test year in this proceeding, with an update period for all known and measurable changes through June 30, 2004. The undersigned also agree with Empire that there is no need for a true-up audit and hearing in this proceeding.

Respectfully submitted,

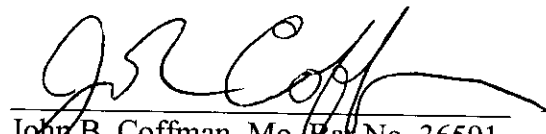
DANA K. JOYCE
General Counsel


Dennis L. Frey, Mo. Bar No. 44697
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8700
(573) 751-9285 (fax)
e-mail: denny.frey@psc.mo.gov

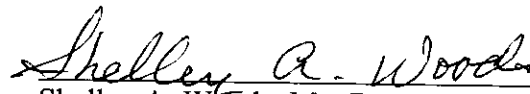
Attorney for the Staff of the
Missouri Public Service Commission

 b7
D-L-F-
Stuart W. Conrad, Mo. Bar No. 23966
Finnegan, Conrad & Peterson, L.C.
3100 Broadway, Suite 1209
Kansas City, MO 64111
(816) 753-1122
(816) 756-0373 (fax)
e-mail: stucon@fcplaw.com

Attorney for Praxair, Inc.
And Explorer Pipeline Company


John B. Coffman, Mo. Bar No. 36591
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102-7800
(573) 751-5565
(573) 751-5562 (fax)
e-mail: john.coffman@ded.mo.gov

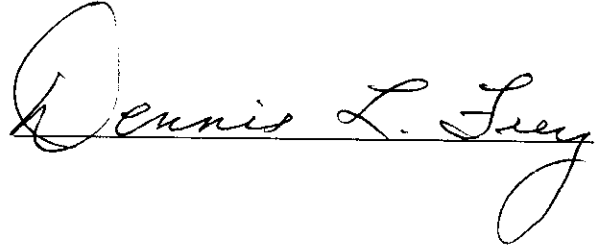
Attorney for the
Office of the Public Counsel

 b7
D-L-F-
Shelley A. Woods, Mo. Bar No. 33525
Assistant Attorney General
P.O. Box 899
Jefferson City, MO 65102
(573) 751-8795
(573) 751-8464
e-mail: Shelley.Woods@ago.mo.gov

Attorney for the
Missouri Department of Natural Resources

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record this 2nd day of June 2004.

A handwritten signature in cursive script, reading "Dennis L. Frey", written over a horizontal line.