

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

In the matter of The Empire Dis-)	
trict Electric Company of Joplin,)	
Missouri for authority to file)	
tariffs increasing rates for elec-)	ER-2006-0315
tric service provided to customers)	
in the Missouri service area of the)	
Company)	

**OBJECTION TO STAFF RECOMMENDATION
SUBMITTED IN THE FORM OF AN AFFIDAVIT**

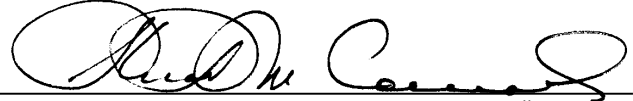
COME NOW Praxair, Inc. and Explorer Pipeline (Applicants) and through their attorney object to the form and substance of the Staff Recommendation that appears to have been filed herein on December 29, 2006 on the basis that the same is not evidence, does not become evidence by its filing herein and cannot, therefore, become competent and substantial evidence that can be used to support any Commission order that purports to approve the submitted "compliance" tariffs.

Substantial issues may remain in dispute in this matter as more particularly identified in filings by these parties and this date by the Public Counsel that cannot be resolved by the Commission without evidence and an opportunity for these parties to cross-examine the affiant and inquire as to that persons' knowledge and information regarding the issues and resolution of this case. Moreover, such person is not identified as an attorney and in any event is not competent to interpret Commission orders and thus has no basis shown in the evidence of this

proceeding to provide an opinion regarding whether submitted tariffs "comply" with some order of the Commission.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

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

Stuart W. Conrad MBE #23966

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ATTORNEYS FOR PRAXAIR, INC. and
EXPLORER PIPELINE

December 29, 2006

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.

A handwritten signature in black ink, appearing to read "Stuart W. Conrad", written over a horizontal line.

Stuart W. Conrad

Dated: December 29, 2006