

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric)	
Company of Joplin, Missouri for Authority)	
to File Tariffs Increasing Rates for Electric)	<u>Case No. ER-2006-0315</u>
Service Provided to Customers in the)	Tracking No. YE-2006-0597
Missouri Service Area of the Company)	

ORDER DENYING MOTION
FOR EXTENSION OF TIME

Issue Date: October 13, 2006

Effective Date: October 13, 2006

On September 14, 2006, the Parties were advised, on the record at the close of the hearing in this matter, that the transcript of the proceeding would be available no later than the 29th of September and that the post-hearing briefs would be due on October 15, 2006. As that date fell on a Sunday, counsel verbally requested clarification as to whether that meant the briefs were due on the Friday preceding the 15th or the Monday following. On October 10, 2006 an Order of Clarification was issued giving the Parties the deadline of 11:59 p.m. on October 16, 2006. On October 12, 2006, Praxair, Inc., Explorer Pipeline, Inc., Commission Staff and the Public Counsel requested a continuance of one week to October 23, 2006 in which to file their post-hearing briefs.

Counsel noted the extreme press of business at the Commission, as the counsel involved in drafting the post-hearing briefs in this matter were also responsible for filing pre-hearing briefs on October 12, 2006 in another rate case that begins on October 16, 2006. The Commission is well aware of the press of business and had intentionally

scheduled the post-hearing briefs to be filed before the start of the next rate case. The Commission planned to begin review of the briefs and preliminary deliberations in this matter at its Agenda session on October 17. Counsel noted that the operation of law date in this case is months away, but the operation of law date for the next rate case is the same as in this case. The Commission must begin its review in this case as soon as possible, in order to have adequate time for deliberation of the other rate case.

The Parties did note that the true-up testimony had not been admitted into evidence, as the true-up hearing was cancelled at the request of the Parties. An Order issued by delegation on October 12, 2006 admitted that testimony into the record.

IT IS ORDERED THAT:

1. The Joint Motion for Continuance filed by Praxair, Inc., Explorer Pipeline, Inc., Commission Staff and the Public Counsel is denied.
2. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Dated at Jefferson City, Missouri,
on this 13th day of October, 2006.

Dale, Chief Regulatory Law Judge