

LAW OFFICES  
**BRYDON, SWEARENGEN & ENGLAND**  
PROFESSIONAL CORPORATION

DAVID V.G. BRYDON (1937-2012)  
JAMES C. SWEARENGEN  
WILLIAM R. ENGLAND, III  
JOHNNY K. RICHARDSON  
GARY W. DUFFY  
PAUL A. BOUDREAU  
CHARLES E. SMARR  
DEAN L. COOPER

312 EAST CAPITOL AVENUE  
P.O. BOX 456  
JEFFERSON CITY, MISSOURI 65102-0456  
TELEPHONE (573) 635-7166  
FACSIMILE (573) 635-0427

BRIAN T. MCCARTNEY  
DIANA C. CARTER  
SCOTT A. HAMBLIN  
JAMIE J. COX  
L. RUSSELL MITTEN  
ERIN L. WISEMAN

COUNSEL  
GREGORY C. MITCHELL

October 1, 2012

Mr. Steve Reed  
Secretary/General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

***RE: The Empire District Electric Company***

Dear Mr. Reed:

In accordance with 4 CSR 240-20.090(4), on behalf of The Empire District Electric Company ("Empire" or "Company"), I am herewith submitting to the Missouri Public Service Commission ("Commission") for filing in electronic form, a proposed rate schedule designed to adjust charges related to the Company's approved Fuel Adjustment Clause ("FAC"). The proposed rate schedule being filed herewith is P.S.C. Mo. No. 5, Sec. 4, 3<sup>rd</sup> Sheet No. 17k, Canceling P.S.C. Mo. No. 5, Sec. 4, 2<sup>nd</sup> Sheet No. 17k. The proposed rate schedule bears an issuance date of October 1, 2012, and a proposed effective date of December 1, 2012.

During the most recent Accumulation Period (March 1, 2012 through August 31, 2012) Empire's Missouri jurisdictional energy costs eligible for the FAC were lower than the base amount established in rates by approximately \$2 million. Therefore, in accordance with the terms of Empire's approved FAC, the proposed rate schedule is designed to refund to Empire's Missouri jurisdictional retail customers 95 percent of that cost decrease, or approximately \$1.9 million. When approximately a net \$1.1 million of interest and under-recovered energy costs from the Recovery Period ending May 31, 2012 are considered, the proposed rate schedule is designed to refund a total of approximately \$776,000.00 to the Company's Missouri jurisdictional retail customers.

As explained in the direct testimony and supporting schedules of Todd W. Tarter, Empire's Manager of Strategic Planning, which is being filed herewith in support of the proposed rate schedule, the major factors responsible for the decrease in Empire's energy costs were favorable natural gas and market power prices.

Also provided in electronic form for filing are schedules containing all of the information required by 4 CSR 240-3.161(7) and all workpapers that support the proposed rate schedule.


Copies of Empire's proposed rate schedule and all supporting materials described in this letter will be served electronically, this date, on the Commission's General Counsel, the Office of the Public Counsel, and on each party to the Company's last general rate case.

Please bring this filing to the attention of the appropriate Commission personnel and see to it that a copy of all correspondence, notices, orders, and other communications that relate to Empire's filing are furnished to Todd W. Tarter, Manager of Strategic Planning , The Empire District Electric Company, 602 South Joplin Avenue, Joplin, Missouri 64802, [ttarter@empiredistrict.com](mailto:ttarter@empiredistrict.com) and to L. Russell Mitten, Brydon, Swearngen & England P.C., 312 East Capitol Avenue, P.O. Box 456, Jefferson City, Missouri 665102-0456.

Thank you for your assistance.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND PC

By: *L. Russell Mitten*   
L. Russell Mitten

cc: Office of the General Counsel  
Office of the Public Counsel  
All Parties to Case No. ER-2010-0130