

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 31st day of
August, 2006.

In the Matter of the Empire District Electric
Company of Joplin, Missouri for Authority to
File Tariffs Increasing Rates for Electric
Service Provided to Customers in the Missouri
Service Area of the Company

)
)
)
)
)

Case No. ER-2006-0315

**ORDER APPROVING STIPULATION AND
AGREEMENT AS TO CERTAIN ISSUES**

Issue Date: August 31, 2006

Effective Date: August 31, 2006

On August 18, 2006, the Staff of the Missouri Public Service Commission and The Empire District Electric Company filed a Stipulation and Agreement as to Certain Issues, agreeing to disposition of several issues in dispute between Empire and the Staff. A copy of the Stipulation and Agreement is attached to this order as Attachment A.

As to those issues disposed of in the Stipulation and Agreement, contingent upon the Commission's acceptance of the Stipulation and Agreement, the parties waived their respective rights to present oral argument and written briefs pursuant to §563.080.1 RSMo 2000; their respective rights to the reading of the transcript by the commission pursuant to RSMo §536.080.2 RSMo 2000; their respective rights §536.500 RSMo 2000; and their respective rights to judicial review pursuant to §386.510 RSMo 2000. Moreover, both Parties' witnesses' testimony will be accepted into the record without cross-examination or formal submission at the evidentiary hearing. The waiver does not apply to any matters

raised in any prior or subsequent Commission proceeding or any matters not explicitly addressed by the Stipulation and Agreement. No Party objected to this stipulation. 4 CSR 240-2.115 gives the Commission the authority to accept a stipulation and agreement as a resolution to certain issues of a contested case.

After reviewing the Stipulation and Agreement, the Commission finds the Agreement to be reasonable. The Commission determines that the Agreement shall be approved.

IT IS ORDERED THAT:

1. The Stipulation and Agreement as to Certain Issues filed on August 18, 2006 is approved as a resolution to certain issues in this case (Attachment A).
2. All signatory parties shall comply with the terms of the Stipulation and Agreement.
3. Such testimony as identified on pages four and five of the Stipulation and Agreement shall be received into evidence without the necessity of the witnesses taking the stand at the evidentiary hearing.
4. This order shall become effective on August 31, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Gaw, Clayton, Appling, CC., concur
Murray, C., absent.

Dale, Chief Regulatory Law Judge