

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 12th day of
August, 2008.

In the Matter of The Empire District Electric
Company's Tariffs to Increase Rates for Electric
Service Provided to Customers in the Missouri
Service Area of the Company

)
)
)
)

Case No. ER-2008-0093
Tariff Nos. YE-2009-0098
and YE-2009-0101

**ORDER GRANTING EXPEDITED TREATMENT AND
APPROVING COMPLIANCE TARIFF SHEETS**

Issue Date: August 12, 2008

Effective Date: August 23, 2008

On July 30, 2008, the Missouri Public Service Commission issued its Report and Order rejecting the tariff filed by The Empire District Electric Company, and directing Empire to file a revised tariff to effectuate the terms of the Report and Order. Empire filed a revised tariff on August 6 in compliance with that order. That tariff bore an effective date of September 5. Along with its tariff, Empire filed a motion for expedited treatment asking the Commission to approve the tariff sheets not related to the fuel adjustment clause to be effective August 23. Empire asked that the fuel adjustment clause tariff sheets be approved to be effective on September 1. Subsequently, on August 8, Empire filed certain replacement tariff sheets to correct typographical errors. Empire also withdrew and replaced the fuel adjustment clause tariff sheets, this time with an effective date of September 7. Empire still asks that the fuel adjustment clause tariffs be made effective on September 1.

Upon receiving Empire's motion for expedited approval of its tariff, the Commission issued an order on August 7, directing its Staff to file a recommendation regarding Empire's tariff by August 9. That order also directed any other party objecting to the request for expedited approval, or contending that Empire's tariff sheets do not comply with the July 30 Report and Order, to file an appropriate pleading no later than August 11. Because of the short time allowed for a response, the Commission's order explicitly stated that any party that believed it needed more time to review Empire's tariff before responding should file an appropriate motion requesting additional time.

On August 9, the Commission's Staff filed its recommendation regarding Empire's compliance tariff filing and motion for expedited treatment. Staff concludes the tariff complies with the Commission's Report and Order, and recommends the Commission approve the compliance tariff to be effective on the dates requested by Empire. No party has filed a response to Staff's recommendation, nor has any party objected to the expedited approval of Empire's compliance tariff.

The Commission has reviewed the proposed tariff and Staff's recommendation. For good cause shown pursuant to Section 393.140(11), RSMo 2000, the Commission concludes that the submitted compliance tariff sheets that are not related to the fuel adjustment clause are consistent with the Commission's Report and Order and should be approved to become effective for service rendered on and after August 23. The tariff sheets that are related to the fuel adjustment clause are also consistent with the Commission's Report and Order and should be approved to become effective for service rendered on and after September 1.

IT IS ORDERED THAT:

1. The Motion for Expedited Treatment and the Supplemental Motion for Expedited Treatment filed by The Empire District Electric Company are granted.
2. The proposed electric service tariff sheets submitted under Tariff File No. YE-2009-0098 by The Empire District Electric Company are approved, as substituted, effective on and after August 23, 2008. The specific tariff sheets approved are:

P.S.C. Mo No. 5

Section A

23rd Revised Sheet No. 1, Canceling 22nd Revised Sheet No. 1

Section 1

14th Revised Sheet No. 1, Canceling 13th Revised Sheet No. 1

Section 2

13th Revised Sheet No. 1, Canceling 12th Revised Sheet No. 1

13th Revised Sheet No. 2, Canceling 12th Revised Sheet No. 2

13th Revised Sheet No. 3, Canceling 12th Revised Sheet No. 3

8th Revised Sheet No. 3a, Canceling 7th Revised Sheet No. 3a

14th Revised Sheet No. 4, Canceling 13th Revised Sheet No. 4

9th Revised Sheet No. 4a, Canceling 8th Revised Sheet No. 4a

13th Revised Sheet No. 6, Canceling 12th Revised Sheet No. 6

13th Revised Sheet No. 7, Canceling 12th Revised Sheet No. 7

9th Revised Sheet No. 9, Canceling 8th Revised Sheet No. 9

7th Revised Sheet No. 9b, Canceling 6th Revised Sheet No. 9b

8th Revised Sheet No. 13, Canceling 7th Revised Sheet No. 13

5th Revised Sheet No. 14, Canceling 4th Revised Sheet No. 14

Section 3

14th Revised Sheet No. 1, Canceling 13th Revised Sheet No. 1

18th Revised Sheet No. 2, Canceling 17th Revised Sheet No. 2

13th Revised Sheet No. 3, Canceling 12th Revised Sheet No. 3

13th Revised Sheet No. 4, Canceling 12th Revised Sheet No. 4

Section 4

4th Revised Sheet No. 8, Canceling 3rd Revised Sheet No. 8

3rd Revised Sheet No. 8a, Canceling 2nd Revised Sheet No. 8a

4th Revised Sheet No. 8b, Canceling 3rd Revised Sheet No. 8b

3rd Revised Sheet No. 8c, Canceling 2nd Revised Sheet No. 8c

1st Revised Sheet No. 8d, Canceling Original Sheet No. 8d

1st Revised Sheet No. 8e, Canceling Original Sheet No. 8e

5th Revised Sheet No. 9, Canceling 4th Revised Sheet No. 9

4th Revised Sheet No. 11, Canceling 3rd Revised Sheet No. 11

Section 5
6th Revised Sheet No. A, Canceling 5th Revised Sheet No. A
4th Revised Sheet No. 19, Canceling 3rd Revised Sheet No. 19

3. The proposed electric service tariff sheets submitted under Tariff File No. YE-2009-0101 by The Empire District Electric Company are approved, effective on and after September 1, 2008. The specific tariff sheets approved are:

P.S.C. Mo No. 5

Section 4
6th Revised Sheet No. 17, Canceling 5th Revised Sheet No. 17
Original Sheet No. 17a
Original Sheet No. 17b
Original Sheet No. 17c

4. This order shall become effective on August 23, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, and Jarrett, CC., concur;
Clayton and Gunn, CC., dissent.

Woodruff, Deputy Chief Regulatory Law Judge