

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

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**

## **ORDER DIRECTING CLARIFICATION OF APPLICATION FOR REHEARING**

Issue Date: August 11, 2008

Effective Date: August 11, 2008

The Commission issued a report and order on July 30, 2008, regarding The Empire District Electric Company's request for a rate increase. On August 8, 2008, a group of companies known as the Industrial Intervenors filed an application for rehearing regarding that report and order. The final point of the application for rehearing is under the heading Regulatory Plan Amortization and states in its entirety: "The Order is unlawful, unjust and unreasonable in that it grants an increase in rates based on the costs of construction in progress of an electric plant before it is fully operational and used for service in direct contravention of Section 393.135, RSMo." The Commission is puzzled by that aspect of the request for rehearing and would like some clarification.

Therefore, the Commission will direct the Industrial Intervenors to file a supplemental pleading explaining in more detail what it believes the Commission has done that would violate Section 393.135, RSMo.

**IT IS ORDERED THAT:**

1. The Industrial Intervenors shall file a supplemental pleading as described above no later than August 14, 2008.
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 )

Morris L. Woodruff, Deputy Chief Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 11<sup>th</sup> day of August, 2008.