LAW OFFICES

BRYDON, SWEARENGEN & ENGLAND

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU

SONDRA B. MORGAN

CHARLES E. SMARR

PROFESSIONAL CORPORATION
312 EAST CAPITOL AVENUE
P.O. BOX 456

JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7166
FACSIMILE (573) 635-0427

DEAN L. COOPER
MARK G. ANDERSON
TIMOTHY T. STEWART
GREGORY C. MITCHELL
BRIAN T. MCCARTINEY
DALE T. SMITH
BRIAN K. BOGARD

OF COUNSEL RICHARD T. CIOTTONE

June 12, 2002

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Re: Case No. ER-2002-424

Dear Mr. Roberts:

Enclosed for filing on behalf of The Empire District Electric Company, please find an original and eight (8) copies of a Motion For Amended Order Scheduling Local Public Hearing Or Alternatively Application For Rehearing.

Copies of this filing will be provided to all parties of record.

Would you please see that this filing is brought to the attention of the appropriate Commission personnel.

I thank you in advance for your cooperation in this matter.

Very truly yours,

lames C. Swearengen

JCS/lar Enclosure

cc: John Coffman

Denny Frey Stuart Conrad

DEFORE 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 service)	Case No. ER-2002-424
provided to customers in the Missouri service)	
area of the Company.)	

MOTION FOR AMENDED ORDER SCHEDULING LOCAL PUBLIC HEARING OR ALTERNATIVELY APPLICATION FOR REHEARING

Comes now The Empire District Electric Company ("Empire"), by and through its counsel, and for its Motion for Amended Order Scheduling Local Public Hearing or Alternatively Application for Rehearing respectfully states as follows to the Missouri Public Service Commission ("Commission"):

- 1. On June 7, 2002, the Commission issued its Order Scheduling Local Public Hearing in the captioned matter, said order to become effective on June 17, 2002.
- 2. Paragraph two (2) of said order, among other things, prescribes the form of the notice of the scheduled local public hearing to be provided to Empire's customers. Paragraph one (1) of the prescribed form of notice is as follows:

NOTICE

The Empire District Electric Company has filed revised electric service tariff sheets with the Missouri Public Service Commission (PSC) which would increase the Company's Missouri jurisdictional annual gross revenues by approximately \$19,779,916. For the average residential customer, the proposed increase would be approximately \$______ each month.

3. In addition to the proposed base rate increase referred to in the notice, Empire's filing also seeks a <u>reduction</u> in its Interim Energy Charge ("IEC"), the net effect of which would be a rate increase of approximately \$9,785,027. Consequently, Empire

respectfully submits that paragraph one (1) of the notice does not fully summarize Empire's proposal in this case and thus fails to adequately inform Empire's customers and the public as to the entire scope of said proposal.

4. Therefore, in view of the foregoing, Empire suggests the following alternative paragraph one (1) for the public notice:

The Empire District Electric Company has filed revised electric service tariff sheets with the Missouri Public Service Commission (PSC) which would increase the Company's Missouri jurisdictional annual gross revenues by approximately \$19,779,916. The Company is also asking to have the Interim Energy Charge (IEC) that was granted in the last rate case reconfigured to reflect a decrease of \$9,994,888. If approved, these combined changes would result in a net annual increase of approximately \$9,785,027 or 4.2%. A residential customer using 750 kilowatt hours of electricity would experience a net increase of approximately \$3.23 per month. The reconfigured IEC would remain subject to refund.

WHEREFORE, Empire respectfully moves the Commission to issue its order adopting as paragraph one (1) of the form of the notice of the local public hearing in this matter Empire's proposed language as set out in paragraph 4 supra, or alternatively to grant a rehearing herein.

Respectfully Submitted,

BRYDON, SWEARENGEN & ENGLAND P.C.

ames C. Swearengen

\$12 East Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102-0456

Phone: (573) 635-7166 Fax: (573) 634-7431

Email: LRackers@brydonlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered, on this <u>IZTH</u> day of June, 2002, to all parties of record.

Java C. Swanger