

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

Staff of the Missouri Public Service Commission,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2007-0112
)	
The Empire District Gas Company,)	
)	
Respondent.)	

**NOTICE OF SATISFACTION AND DISMISSAL OF COMPLAINT AGAINST
THE EMPIRE DISTRICT GAS COMPANY**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Notice of Satisfaction and Dismissal of Complaint Against the Empire District Gas Company (EDG), states the following:

1. On September 22, 2006 the Staff filed its Complaint against EDG for not having submitted to the Staff, by September 1, 2006, its gas supply and hedging plan in accordance with the requirements specified of it in the Stipulation in Case No. GO-2006-02005.

2. On September 26, 2006, the Staff received EDG's gas supply and hedging plan dated September 25, 2006. EDG's submission of this plan to the Staff and OPC satisfies its requirements under the Stipulation. The Staff would note that, but for the lateness of its submission, EDG has complied with the terms specified of it in the Stipulation and, as noted in Staff's Complaint, the Staff acknowledges its continued discussions related to the gas supply planning function with EDG.

3. Therefore, in accordance with 4 CSR 240-2.116 (1)¹, the Staff, as Complainant, provides this notice of dismissal of its Complaint against EDG.

Respectfully submitted,

/s/ Robert S. Berlin

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 13th day of October 2006.

/s/ Robert S. Berlin_____

¹ 4 CSR 240-2.116 (1) states, in pertinent part, that “An applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties.”