

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

In the Matter of the Empire District Gas)	
Company's Purchased Gas Adjustment)	Case No. GR-2009-0397
Tariff Filing.)	JG-2009-0768

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Recommendation, states as follows:

1. On May 1, 2009, The Empire District Gas Company (EDG or Empire) filed three (3) tariff sheets for each of its three districts, Northern, Southern, and Northwest, bearing an effective date of May 15, 2009.

2. These tariff sheets were filed to reflect changes in EDG's Purchased Gas Adjustment (PGA) factors as a result of estimated changes in the cost of natural gas for the upcoming summer season of May through October. EDG requests the tariff sheets go into effect on May 15, 2009.

3. Case No. GR-2009-0397, under which these changes were filed, was established to track the company's PGA factors to be reviewed in its 2008-2009 ACA (Actual Cost Adjustment) filing.

4. For reasons explained in Staff's Memorandum, attached hereto as Appendix A and incorporated herein by reference, the PGA factor rate changes should be approved on an interim, subject to refund status, pending final Commission decisions in Case Nos. GR-2008-0368, which was established to track Empire's 2007-2008 ACA filing, and GR-2009-0397.

5. Staff is of the opinion that good cause for approval of these tariff sheets on less than thirty days notice is demonstrated by Empire's Commission approved PGA clause allowing for ten (10) business days notice for PGA change filings. Therefore, Staff recommends that the PGA tariff sheets, filed on May 1, 2009, be approved, interim subject to refund.

WHEREFORE, for the reasons stated in Staff's Memorandum, the Staff recommends that the Commission approve Empire's tariff sheets in file no. JG-2009-0768 interim subject to refund only on May 15, 2009.

Respectfully submitted,

/s/Robert S. Berlin

Robert S. Berlin
Senior Counsel
Missouri Bar No. 51709

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 526-7779 (Telephone)
(573) 751-9285 (Fax)
email: bob.berlin@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 7th day of May 2009.

/s/ Robert S. Berlin