

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the matter of The Empire District Gas Company of)
Joplin, Missouri for Authority to File Tariffs Increasing) **File No. GR-2009-0434**
Rates for Gas Service Provided to Customers in the) Tariff No. YG-2009-0855
Missouri Service Area of the Company.)

ORDER SETTING LOCAL PUBLIC HEARINGS AND DIRECTING NOTICE TO CUSTOMERS

Issue Date: August 21, 2009

Effective Date: August 21, 2009

On June 5, 2009, The Empire District Gas Company submitted to the Missouri Public Service Commission certain proposed tariff sheets to implement a general rate increase for retail natural gas service. The Commission published notice of the filing, suspended the effective date of the tariffs, and set procedural dates, among them a date for the parties to file recommendations as to times, dates, and locations for local public hearings in Empire's service area. On July 30, 2009, Empire filed a recommendation for local public hearings to be held in Sedalia, Maryville, Chillicothe, and Nevada, Missouri, including proposed dates and times. No other party filed a recommendation.

The Commission will hold local public hearings in the four cities recommended by Empire. However, the Commission must rearrange the dates and times because of scheduling issues. Also, the Commission will schedule the Maryville public hearing in the evening rather than at noon.

The Commission previously prescribed that the customer notice be in the format as recommended by the Staff of the Commission. The Commission also directed that certain

words not be contained in the notice. The Commission now directs that the notice contain the text set out below.

THE COMMISSION ORDERS THAT:

1. A local public hearing is scheduled for Thursday, November 5, 2009, beginning at 6:00 p.m., in the Cafeteria of the Nevada TeleCenter, 2015 N. West Street, Nevada, Missouri. A question-and-answer session will be held before the hearing, beginning at 5:30 p.m. The hearing will conclude when every person who wishes to testify has done so. This hearing will be conducted by videoconference from the Commission's hearing room in Jefferson City, Missouri.

2. A local public hearing is scheduled for Monday, November 9, 2009, beginning at 6:00 p.m., in the ITV Lab, Grand River Technical School, 1200 Fair Street, Chillicothe, Missouri. A question-and-answer session will be held before the hearing, beginning at 5:30 p.m. The hearing will conclude when every person who wishes to testify has done so. This hearing will be conducted by videoconference from the Commission's hearing room in Jefferson City, Missouri.

3. A local public hearing is scheduled for Tuesday, November 10, 2009, beginning at 6:00 p.m., in Room 214 of the Everett W. Brown Education Hall, Northwest Missouri State University, 800 University Drive, Maryville, Missouri. A question-and-answer session will be held before the hearing, beginning at 5:30 p.m. The hearing will conclude when every person who wishes to testify has done so. This hearing will be conducted by videoconference from the Commission's hearing room in Jefferson City, Missouri.

4. A local public hearing is scheduled for Thursday, November 12, 2009, beginning at 6:00 p.m., in the Distance Technology Training Program Classroom of the

US Army National Guard Armory, 2001 Clarendon Road, Sedalia, Missouri. A question-and-answer session will be held before the hearing, beginning at 5:30 p.m. The hearing will conclude when every person who wishes to testify has done so. This hearing will be conducted by videoconference from the Commission's hearing room in Jefferson City, Missouri.

5. Customers who wish to make written comments may do so using the Public Service Commission's Internet Electronic Filing and Information System at <https://www.efis.psc.mo.gov/mpsc/Comments.html>. Such comments may also be mailed to the Missouri Public Service Commission, P.O. Box 360, Jefferson City, MO 65102-0360.

6. No later than ten days prior to the local public hearing, The Empire District Gas Company shall provide an individual notice to each of its customers containing the text as set out below:

NOTICE OF POSSIBLE RATE INCREASE AND PUBLIC HEARINGS

The Empire District Gas Company filed a proposal with the Missouri Public Service Commission (PSC) that may affect your natural gas bill. The proposal affects only one part of your bill, what Empire charges for non-gas costs such as operating and maintenance expenses. Empire proposes to increase its non-gas charges by about \$2.9 million per year by replacing your current non-gas charge that varies depending on how much natural gas you use, with a flat charge of \$30 per month.

If you use about 58 ccf of natural gas per month, your rate increase would be about [\$4.63 / \$7.72 – **Insert correct amount for customer receiving notice**]. Your increase would be more or less depending on the amount of natural gas you use. The proposal does not affect the price of natural gas. Regardless of whether this request is approved, you will continue to pay a charge for the amount of natural gas you use.

If you would like to comment on Empire's proposal, you may do so in several ways. You may:

- testify at the Local Public Hearings which have been set as follows:

Cafeteria, Nevada TeleCenter
2015 N. West St.
Nevada, Missouri
Thursday, November 5, 2009
5:30 Informal Question and Answer Session
6:00 Local Public Hearing

ITV Lab, Grand River Technical School
1200 Fair Street
Chillicothe, Missouri
Monday, November 9, 2009
5:30 Informal Question and Answer Session
6:00 Local Public Hearing

Room 214, Everett W. Brown Education Hall
Northwest Missouri State University
800 University Drive
Maryville, Missouri
Tuesday, November 10, 2009
5:30 Informal Question and Answer Session
6:00 Local Public Hearing

Distance Technology Training Program Classroom
US Army National Guard Armory
2001 Clarendon Road
Sedalia, Missouri
Thursday, November 12, 2009
5:30 Informal Question and Answer Session
6:00 Local Public Hearing

- mail a written comment to:

Missouri Public Service Commission, P.O. Box 360, Jefferson City,
Missouri 65102

- submit a comment electronically by:

accessing the PSC's Internet Electronic Filing and Information System at <https://www.efis.psc.mo.gov/mpsc/Comments.html> (please reference File No. GR-2009-0434). Comments submitted in this manner are not part of the official record of this case unless offered into evidence and admitted by the PSC as evidence, but are viewable by the public. **Do not include any information in a public comment that you do not wish to be made public.**

- contact the Office of the Public Counsel, P.O. Box 2230, Jefferson City, Missouri 65102, telephone 573-751-4857 or toll-free 866-922-2959.

If you have a question or complaint about your utility service, please contact the PSC's Consumer Services Hotline at 1-800-392-4211.

The local public hearings will be held in buildings that meet accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in these hearings, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

7. The local public hearings shall be held in facilities that meet the accessibility requirements of the Americans with Disabilities Act. Any person who needs additional accommodation to participate in the hearing should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

8. The Data Center of the Missouri Public Service Commission shall serve a copy of this order upon the county commission of each county in the Missouri service areas of The Empire District Gas Company.

9. The Public Information Office of the Missouri Public Service Commission shall make notice of this order available to members of the General Assembly and to the media that serve The Empire District Gas Company's Missouri service areas.

10. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name of the signatory.

Steven C. Reed
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 21st day of August, 2009.