

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of The Empire District Gas Company's) **File No. GR-2009-0397**
Purchased Gas Adjustment (PGA) Tariff Filing) Tariff No. YG-2010-0315

CORRECTED ORDER APPROVING INTERIM RATES

Issue Date: November 12, 2009

Effective Date: November 13, 2009

On October 30, 2009, The Empire District Gas Company filed tariff sheets proposed to become effective November 13, 2009. The tariff sheets were filed to reflect changes in Empire's Purchased Gas Adjustment (PGA) factors as a result of estimated changes in the cost of natural gas for the 2009-2010 winter season. This filing will decrease the firm PGA factor for the 2009-2010 winter season for the South System to \$0.75228 per one hundred cubic feet (Ccf) from the current PGA factor of \$0.76489 per Ccf. This filing will also decrease the firm PGA factor for the 2009-2010 winter season for the North System to \$0.57689 per one hundred cubic feet (Ccf) from the current PGA factor of \$0.79004 per Ccf. This filing will also decrease the firm PGA factor for the 2009-2010 winter season for the NW System to \$0.48011 per one hundred cubic feet (Ccf) from the current PGA factor of \$0.733233 per Ccf. The changes represent a decrease of \$0.01261, \$0.25315, and \$0.25312 per Ccf for the South, North, and NW, respectively, for all customer classes except large volume Interruptible and transportation.

The Commission's Staff filed its recommendation on November 5, 2009. Staff recommends that the rates be approved on an interim basis, subject to refund pending final Commission decisions in Case Nos. GR-2008-0368 and GR-2009-0397. Staff recommends that the tariff sheets become effective on November 13, 2009.

The Commission has reviewed the proposed tariff sheets and Staff's recommendation. The Commission finds that the proposed tariff sheets conform to Empire's Commission-approved PGA clause. In addition, because Empire's PGA clause in its tariff allows for PGA change filings to take effect on ten days' notice, good cause has been shown pursuant to Section 393.140(11), RSMo 2000, to permit the tariff sheets to become effective on less than 30-days notice. The Commission concludes that the proposed tariff sheets should be approved to become effective on November 13, 2009, on an interim basis, subject to refund, pending final Commission decisions in Case Nos. GR-2008-0368 and GR-2009-0397.

Empire also filed information regarding its Actual Cost Adjustment (ACA) factor. Staff has requested that it be allowed until December 31, 2010, to review and file its recommendation for the ACA factor. The Commission finds this request to be reasonable and will direct Staff to file its recommendation as set out below.

THE COMMISSION ORDERS THAT:

1. The proposed tariff sheets filed on October 30, 2009, by The Empire District Gas Company are approved on an interim basis, subject to refund, pending final Commission decisions in Case Nos. GR-2008-0368 and GR-2009-0397, for service rendered on and after November 13, 2009. The specific tariff sheets approved are:

P.S.C. MO. No. 2

5th Revised Sheet No. 62, Canceling 4th Revised Sheet No. 62
5th Revised Sheet No. 63, Canceling 4th Revised Sheet No. 63
5th Revised Sheet No. 65, Canceling 4th Revised Sheet No. 65

2. The Staff of the Missouri Public Service Commission shall file its recommendation regarding the 2008-2009 Actual Cost Adjustment factor no later than December 31, 2010.

3. This order shall become effective on November 13, 2009.

BY THE COMMISSION



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 12th day of November, 2009.