

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

In the Matter of the Empire District Gas	)	
Company's Purchased Gas Adjustment	)	<b>Case No. GR-2009-0397</b>
Tariff Filing.	)	JG-2010-0315

**STAFF RECOMMENDATION**

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

1. On October 30, 2009, The Empire District Gas Company (EDG or Empire) filed three (3) tariff sheets for each of its three Systems, North, South, and NW, bearing an effective date of November 13, 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 heating season of November 2009 through March 2010. EDG requests the tariff sheets go into effect on November 13, 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 PGA factors to be reviewed in its 2007-2008 ACA filing, and this case, 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 October 30, 2009, be approved, interim subject to refund.

WHEREFORE, for the reasons explained in Staff's Memorandum, the Staff recommends that the Commission approve Empire's tariff sheets in File No. JG-2010-0315 interim subject to refund only, on November 13, 2009.

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, or transmitted by facsimile or electronic mail to all counsel of record this 5<sup>th</sup> day of November 2009.

**/s/ Robert S. Berlin**