

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

In the Matter of the Application of)	
The Empire District Electric Company)	Case No. EO-2005-0020
for Authorization to Manage Sulfur)	
Dioxide Emission Allowance Inventory)	

NOTICE

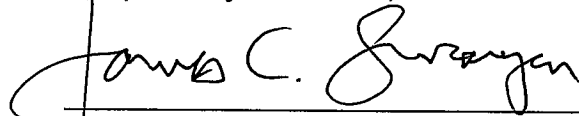
Come Now The Empire District Electric Company ("Empire" or "Company"), the Office of the Public Counsel ("Public Counsel") and the Staff of the Missouri Public Service Commission ("Staff") who collectively constitute all of the parties to the captioned-matter and for their Notice respectfully state to the Missouri Public Service Commission ("Commission") as follows:

1. In the context of Case No. EO-2005-0020, the parties entered into a Stipulation and Agreement which was approved by the Commission's Order in said case issued on March 1, 2005, effective March 11, 2005.
2. Schedule 1 to the Stipulation and Agreement is Empire's SO² Allowance Management Policy ("SAMP"). On page 2 of the SAMP, it is stated that Empire would provide its first annual SO² projection to the Staff and Public Counsel by the end of the first quarter of 2005 and Empire so provided its projection on March 31, 2005.
3. In accordance with the SAMP, the Staff and Public Counsel had thirty days to respond to Empire's projection. The Staff and Public Counsel completed its review within the thirty days. After its review, Staff had no objections to Empires' plans. Public Counsel has further concerns with Empires' projections and responded within the thirty day time frame.

4. The SAMP further provides that any disputes about the projections will be discussed among the parties and the parties will cooperate to resolve any dispute in good faith. The SAMP further provides that if the parties cannot resolve any dispute within forty days of the original filing date, the matter will be brought to the Commission for its determination.

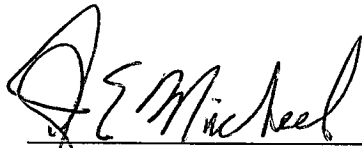
5. The parties have met in an effort to discuss the issues raised by the Public Counsel's response. The parties believe that it is appropriate to postpone the "resolution date" to a point in time after August 1, 2005, by which time Empire's "Regulatory Plan" proposal, which is the subject of Commission Case No. EO-2005-0263, and which has a direct bearing on issues in this docket, should be determined. Therefore, the provisions of the SAMP notwithstanding, the parties do not believe it is necessary at this time to request the Commission to become involved in this process or to determine this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Swearengen", is written over a horizontal line.

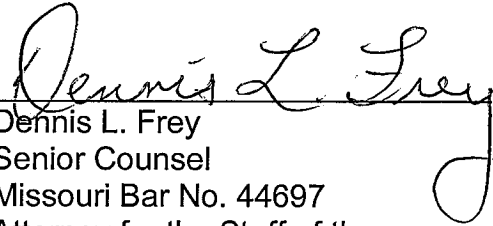
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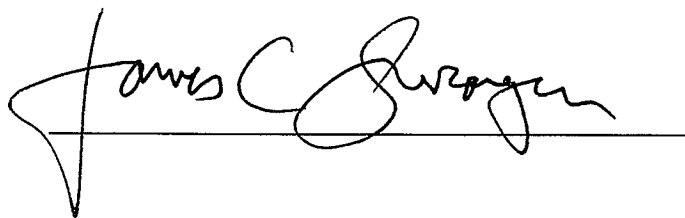
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was, on this 23rd day of May, 2005, sent via electronic mail, U.S. Postage, or hand delivered, to all parties.

A handwritten signature in black ink, appearing to read "James C. Swager", is written over a horizontal line. The signature is stylized with a large, looped initial 'J' and a cursive 'C'.