

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

In the Matter of The Empire District Electric)	
Company of Joplin, Missouri for Authority)	
to File Tariffs Increasing Rates for Electric)	Case No. ER-2008-0093
Service Provided to Customers in the)	
Missouri Service Area of the Company)	

SUPPLEMENTAL MOTION FOR EXPEDITED TREATMENT

The Empire District Electric Company ("Empire" or "Company"), by and through its undersigned counsel and in accordance with 4 CSR 240-2.080(16), hereby files this supplemental motion asking the Missouri Public Service Commission ("Commission") for expedited consideration and approval of tariff sheets filed by Empire on August 8, 2008. In support of its motion, the Company respectfully states as follows:

1. On July 30, 2008, the Commission issued its *Report and Order* herein, bearing an effective date of August 9, 2008, authorizing Empire to increase its annual revenues by approximately \$22 million. Among other things, the *Report and Order* authorizes the Company to file compliance tariff sheets no later than August 9, 2008, in order to implement the terms of the *Report and Order*.

2. On August 6, 2008, Empire filed with the Commission compliance tariff sheets designed to effectuate the decisions made by the Commission in the *Report and Order*. Those revised tariff sheets bear an issue date of August 6, 2008, and an effective date thirty days thereafter (September 5, 2008). Empire seeks expedited consideration and approval of those tariff sheets, as modified, and as set out in Empire's Motion for Expedited Treatment filed on August 6, 2008, and incorporated herein by reference.

3. After submitting the compliance tariff sheets on August 6, 2008, certain errors were discovered by Empire and the other parties. Typographical errors in four of the sheets were addressed by the filing of “substitute” sheets.

4. With regard to the tariff sheets designed to implement the fuel adjustment clause (“FAC”) authorized and approved by the Commission in its *Report and Order*, it was discovered that a “+” was used instead of a “-” in the FAC formula with regard to the off-system sales margin. There were also certain capitalization and numbering errors discovered. Accordingly, Empire has withdrawn the four FAC tariff sheets (PSC Mo. No. 5, Sec. 4, sheet numbers 17, 17a, 17b, and 17c) filed on August 6, 2008, and has, on this date, submitted new tariff sheets bearing the same sheet numbers. These FAC tariff sheets bear an issue date of August 8, 2008, and an effective date thirty days thereafter (September 7, 2008).

5. With regard to these compliance tariffs filed on August 8, 2008, Empire does not believe that thirty days’ notice for the tariffs to become effective is necessary or appropriate under the circumstances.

6. As noted in Empire’s Motion for Expedited Treatment filed herein on August 6, 2008, although §393.140(11) reads that thirty days’ notice is generally required before any rate filed by an electrical corporation can become effective, Empire believes that the purpose of that requirement has been fully satisfied in this case. Further, §393.140(11) specifically provides that, for good cause shown, the Commission may allow changes without requiring thirty days’ notice.

7. Pursuant to 4 CSR 240-2.080(16)(A), Empire requests that the Commission act on this supplemental motion by August 12, 2008, or as soon as the

Commission has had the opportunity to confirm that the FAC tariff sheets comply with the *Report and Order*.

8. Empire requests that its four compliance tariff sheets implementing an FAC, sheet numbers 17, 17a, 17b, and 17c, be allowed to become effective for electric service rendered on and after September 1, 2008, or as soon as: 1) the Commission has had the opportunity to confirm that the FAC tariff sheets comply with the *Report and Order* and issue an order approving the tariff sheets, and 2) any parties who object have been given a reasonable opportunity to file applications for reconsideration of that order.

9. The Commission Staff has reviewed Empire's compliance tariff sheets, including these FAC tariff sheets, and has reported to Empire that the Staff finds them to be in compliance with the *Report and Order*.

10. The Company states that sufficient good cause exists for the granting of this motion in that: (a) the tariff sheets have been filed in compliance with the Commission's *Report and Order* issued herein; (b) the Commission and the public have been aware of Empire's request for a rate increase for almost one year; (c) the Commission, through the rate case process, has been able to consider all aspects of the Company's request and the possible impact of a rate increase on Empire's customers; and (d) the Commission, with its *Report and Order* issued herein, found Empire's existing rates to no longer be just and reasonable. Pursuant to 4 CSR 240-2.080(16)(B), the Company states that additional harm stemming from the current rates will be avoided if this motion is granted, and, given the Commission's findings and conclusions in its *Report and Order*, the granting of this motion will not have a negative effect on Empire's customers or the public in general.

11. Pursuant to 4 CSR 240-2.080(16)(C), Empire states that this motion is being filed as soon as practical, given that Empire is authorized to file compliance tariffs by August 9, 2008, and the subject FAC compliance tariffs were filed on the date of this motion (August 8, 2008).

WHEREFORE, for the reasons stated herein, Empire moves the Commission to grant the Company's request for expedited consideration and approval of its compliance tariff sheets.

Respectfully submitted,

/s/ Diana C. Carter

BRYDON, SWEARENGEN & ENGLAND P.C.

James C. Swearengen MBE 21510

Diana C. Carter MBE 50527

L. Russell Mitten MBE 27881

312 East Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102

(573) 635-7166

(573) 635-7431 (facsimile)

lrackers@brydonlaw.com (e-mail)

ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

Certificate of Service

I hereby certify that the foregoing has been sent by United States mail, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record on the 8th day of August, 2008.

/s/ Diana C. Carter