

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

In the Matter of The Empire District Electric )  
Company's Application for Expedited Treatment ) Case No. \_\_\_\_\_  
Concerning Net Metering Tariff Sheets )

**MOTION FOR EXPEDITED TREATMENT  
AND VARIANCE**

COMES NOW The Empire District Electric Company (Empire or Company), and, in accordance with Missouri Public Service Commission (Commission) Rule 4 CSR 240-2.080(16), moves the Commission for expedited treatment of Empire's net metering tariff sheets, as filed on January 3, 2008, and a variance from Commission Rule 4 CSR 240-20.065 (Net Metering) :

**EMPIRE**

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri 64802. Empire is qualified to conduct business and is conducting business in Kansas as well as in the states of Missouri, Arkansas and Oklahoma. Empire is engaged, generally, in the business of generating, purchasing, transmitting, distributing and selling electric energy in portions of said states. Empire also provides water service and natural gas distribution service in Missouri. Empire's Missouri operations are subject to the jurisdiction of the Commission as provided by law.

2. A certified copy of Empire's Restated Articles of Incorporation, as amended, was filed in Case No. EF-94-39 and is incorporated herein by reference in accordance with Commission rule 4 CSR 240-2.060(1)(G). A Certificate from the Missouri Secretary of State that Empire, a foreign corporation, is authorized to do business in Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated by reference in accordance with Commission rule 4 CSR 240-2.060(1)(G). This information is current and correct. Empire has

no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates. Empire's annual report and assessment fees are not overdue.

3. Communications in regard to this Application should be addressed to the undersigned counsel and:

Ms. Jayna Long  
The Empire District Electric Company  
602 Joplin Street  
P.O. Box 127  
Joplin, Missouri 64802  
Phone: (417) 625-6556  
Fax: (417) 625-5173  
E-mail: [jlong@empiredistrict.com](mailto:jlong@empiredistrict.com)

### **MOTION**

4. Concurrently, with the filing of this Motion, Empire will file tariff sheets in order to comply with the Net Metering and Easy Connection Act (Section 386.890, RSMo). These tariff sheets carry a proposed effective date of February 2, 2008 (30 days).

5. The Net Metering and Easy Connection Act became effective on January 1, 2008. Among other things, the Act requires a retail electric supplier (to include an electrical corporation) to make net metering available to its customers under certain conditions, make a tariff available setting forth the rate available to customers and disclose the availability of such program to its customers. Granting this Motion will allow Empire to comply with the Act in a timely manner. Commission action as requested herein should have no negative effect on Empire's customers or the public generally.

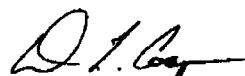
6. Accordingly, Empire seeks the Commission's order allowing the proposed tariff sheets to go into effect on January 17, 2008.

7. Empire also requests, to the extent necessary, that the Commission waive its net metering regulations, 4 CSR 240-20.065 (Net Metering), as the Commission's rule has not yet been modified to reflect the changes made by the Act.

8. The subject tariff sheets and this Motion have been filed as soon as possible after the Net Metering and Easy Connection Act became effective on January 1, 2008.

WHEREFORE, for the foregoing reasons, Empire respectfully requests the Commission to grant Empire's Motion for Expedited Treatment and Variance and approve Empire's proposed net metering tariff sheets effective January 17, 2008.

Respectfully submitted,



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Dean L. Cooper MBE #36592  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 E. Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166 voice  
(573) 635-3847 facsimile  
Email: [dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

ATTORNEYS FOR THE EMPIRE DISTRICT  
ELECTRIC COMPANY

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on January 3, 2008, to the following:

Office of the General Counsel  
Governor Office Building, 8<sup>th</sup> Floor  
Jefferson City, Mo 65101

The Office of the Public Counsel  
Governor Office Building, 6<sup>th</sup> Floor  
Jefferson City, MO 65101



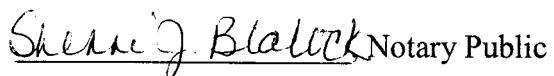
## VERIFICATION

STATE OF MISSOURI      )  
                                  )ss  
COUNTY OF JASPER      )

I, Kelly S. Walters, state that I am employed by The Empire District Electric Company (Empire) as Vice President of Regulatory and General Services; that I have read the above and foregoing document; that the statements contained therein are true and correct to the best of my information, knowledge and belief; and, that I am authorized to make this statement on behalf of Empire.



Subscribed and sworn to before me this 3rd day of January, 2008.



Sherri J. Blalock Notary Public

