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June 1, 2001

FILED³
JUN 0 1 2001

Mr. Dale Hardy Roberts Executive Secretary Public Service Commission P. O. Box 360 Jefferson City, MO 65102

Missouri Public Service Commission

RE: Case No. ER-2001-299

The Empire District Electric Company

Dear Mr. Roberts:

DAVID V.G. BRYDON

GARY W. DUFFY

PAUL A. BOUDREAU

SONDRA B. MORGAN

CHARLES E. SMARR

JAMES C. SWEARENGEN

WILLIAM R. ENGLAND, III

JOHNNY K. RICHARDSON'

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of the following:

• Supplemental Testimony of Brad P. Beecher

Motion for Leave to File Supplemental Testimony

If you have any questions, please give me a call.

Sincerely yours,

Gary W. Duffy

Enclosures cc w/encl:

John Coffman, Office of Public Counsel Denny Frey, Office of General Counsel Stuart W. Conrad Judge Ruth Brad Beecher

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

| FIL | FD3 |
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| JUN 0 1 | 2001 |

| In the Matter of The Empire District Electric) Company's Tariff Sheets Designed to Implement) a General Rate Increase for Retail Electric) Service Provided to Customers in the Missouri) Service Area of the Company. | Service Commission Case No. ER-2001-299 |
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MOTION FOR LEAVE TO FILE SUPPLEMENTAL TESTIMONY

Comes now The Empire District Electric Company ("Empire"), by and through its counsel, and for its motion for leave to file supplemental testimony, respectfully states as follows:

- 1. Empire was a party to a non-unanimous stipulation and agreement filed with the Commission on May 14, 2001, concerning fuel and purchased power expense.
- 2. From rulings made from the bench by the Commission during the hearing of this case on May 31, 2001, Empire understands that the Commission prefers that parties to non-unanimous agreements file testimony explaining their change of position rather than present non-unanimous stipulations and agreements for the Commission to consider.
- 3. In an attempt to comply with the Commission's preference as quickly as possible, Empire has caused to be prepared the Supplemental Testimony of Brad P. Beecher which accompanies this motion. The Supplemental Testimony explains that Empire has made a change in position on the fuel and purchased power issues from its original direct case. The Supplemental Testimony also explains in detail the proposal Empire is now making as to how

the Commission should resolve the fuel and purchased power issues in this proceeding.

4. The new position taken by Empire in the Supplemental Testimony of Brad P. Beecher does not differ in substance from the position it took when it authorized the filing of a non-unanimous stipulation and agreement on May 14, 2001 on fuel and purchased power. In that regard, no party to this case should be prejudiced by the Commission allowing receipt of this Supplemental Testimony at this time since it reflects positions and explanations made known to the other parties to this case as early as the week of April 16, 2001, when this topic was discussed during the prehearing conference, and in the document filed with the Commission on May 14, 2001. This Supplemental Testimony is being offered only one day after Empire learned of the Commission's preference to have prepared testimony explaining a change of position.

WHEREFORE, Empire moves that the Commission accept for filing the Supplemental Testimony of Brad P. Beecher explaining Empire's changed position on the fuel and purchased power issues.

Respectfully submitted,

Gary W. Duffy

MBE #24905

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served this first day of June, 2001 by hand delivery in Jefferson City, Missouri, to the counsel listed below.

Gary W. Duffy

Office of the Public Counsel Governor State Office Building Jefferson City, Missouri

Office of the General Counsel Public Service Commission Governor State Office Building Jefferson City, Missouri

Stuart W. Conrad Finnegan, Conrad & Peterson L.C. 1209 Penntower Office Center 3100 Broadway Kansas City, Missouri 64111

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