

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

In The Matter of The Empire District Gas)	
Company of Joplin, Missouri for Authority to)	
File Tariffs Increasing Rates for Gas Service)	<u>File No. GR-2009-0434</u>
Provided to Customers in the Missouri Service)	Tariff No. YG-2009-0855
Area of the Company.)	

**MISSOURI DEPARTMENT OF NATURAL RESOURCES' NOTICE OF
POSITION RESPECTING PARTIAL STIPULATION**

COMES NOW the Missouri Department of Natural Resources, by and through its attorneys of record, and states to the Commission that it neither opposes nor supports the Partial Stipulation and Agreement filed by its signatory parties on December 18, 2009. The Department does not request a hearing on any issue settled therein. The Department, however, opposes the Partial Stipulation and Agreement on DSM Funding and Implementation, filed by its signatory parties on December 18, 2009, for the reasons discussed in the Direct Testimony of Laura Wolfe on behalf of the Missouri Department of Natural Resources Energy Center. Further, the Department requests a hearing on the issues described therein.

Respectfully submitted,

CHRIS KOSTER
Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or e-mailed to all counsel of record this 28th day of December, 2009.

/s/ Sarah B. Mangelsdorf
Sarah B. Mangelsdorf