

**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 Service)
Provided to Customers in the Missouri Service)
Area of the Company.)

Case No. ER-2011-0004

**ANTICIPATED DATE FOR FILING PROPOSED SETTLEMENT AND
MOTION TO FURTHER SUSPEND PROCEDURAL SCHEDULE**

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), and respectfully states as follows:

1. Certain parties have reached an agreement in principle which would resolve all outstanding matters in this case.
2. It is Staff’s understanding that no party objects to that agreement in principle, though a formal agreement suitable for filing is, of course, still being developed.
3. In its May 19, 2011, *Order Extending Deadlines for Filings and Postponing Evidentiary Hearing* (“Order”), the Commission ordered that Staff file, by no later than May 20, 2011, a pleading stating a date certain for filing a proposed settlement agreement.
4. Staff, in cooperation with The Empire District Electric Company (“Empire”) and the other parties to this matter, is endeavoring to file such proposed settlement by May 27, 2011.
5. Staff would note that the parties presently intend that such agreement will be in a form relying on attached specimen tariff sheets. Staff notes that this form of agreement is typically more time consuming to draft than other forms of agreement, but typically requires significantly less time for the filing and processing of compliance tariff sheets than other forms of agreement.

6. Also in its *Order*, the Commission ordered that “[t]he current deadlines for all outstanding prehearing filings are extended by seven days.”

7. Staff suggests, and understands the other parties to concur, that the parties’ time would be better spent preparing and finalizing settlement documents, as opposed to documents designed to facilitate the resolution of this matter by litigation.

8. Staff, therefore, requests that the procedural schedule in this matter be further suspended. In this regard, Staff requests that the parties be relieved from filing requirements pertaining to prehearing filings.

9. Counsel for Empire, the Missouri Department of Natural Resources (DNR), the City of Joplin, Missouri, (“Joplin”), the Office of the Public Counsel (“Public Counsel”), the Missouri Energy Users’ Association (MEUA), and Kansas City Power & Light Company, (KCPL), have indicated to Staff Counsel that they do not object to this requested suspension of the procedural schedule.

WHEREFORE, Staff respectfully requests suspension of the procedural schedule in this matter as described here-in, and indicates its intent to file a proposed settlement of File No. ER-2011-0004 on or before May 27, 2011.

Respectfully submitted,

THE STAFF OF THE
MISSOURI PUBLIC SERVICE COMMISSION

/s/ Sarah Kliethermes

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 20th day of May, 2011.

/s/ Sarah Kliethermes _____