BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Missouri-American Water)	
Company's Request for Authority to Implement)	Case No. WR-2011-0337
A General Rate Increase for Water and Sewer)	SR-2011-0338
Service Provided in Missouri Service Areas.	

Position Statement of Intervenor The Empire District Electric Company

The Empire District Electric Company takes no position on any issue except Issue No. 9. Empire reserves the right to brief and argue any such issues based upon the evidence at hearing. The following is Empire's Statement of Position with respect to Issue No. 9:

9. Empire Special Contract

Should the January 19, 2012, Stipulation and Agreement as to a Special Contract for The Empire District Electric Company be approved? If the Stipulation and Contract is not approved, should the Company's interruptible tariff remain in effect?

The Water Supply Agreement accompanying the Stipulation should be approved. The Water Supply Agreement calls for Empire to pay the lesser of the Water Company's (a) fully loaded production costs covering the operating expenses, taxes, and capital costs of producing water for the Joplin district, or (b) Rate for Manufacturers and Large Quantity Users of water approved by the Commission and applicable to the Joplin district. Based upon the rates proposed by Missouri

American at the outset of this rate case, Empire's water usage or commodity rate would increase by 35% more than the rate now applicable pursuant to its existing agreement. The Water Supply Agreement is revenue requirement neutral, is rate design neutral, and will accommodate the Commission's final revenue requirement and rate design decisions in this case. Empire's existing Agreement is authorized by Missouri American's Interruptible tariff in effect at the time this rate proceeding was initiated. If the Water Supply Agreement included in the Stipulation is not approved, the Interruptible Tariff should remain in effect

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 14th day of February, 2012, to:

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