

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

In the Matter of the Tariff Filing of Aquila, Inc.)	
To Implement a General Rate Increase for)	Case No. ER-2005-0436
Retail Electric Service Provided to Customers)	
In its MPS and L&P Missouri Service Areas.)	

In the Matter of the Tariff Filing of Aquila, Inc.)	
To Implement a General Rate Increase for)	Case No. HR-2005-0450
Retail Steam Heat Service Provided to Customers)	
In its L&P Missouri Service Area.)	


**NOTICE OF THE EMPIRE DISTRICT ELECTRIC COMPANY
REGARDING PREHEARING BRIEF**

COMES NOW The Empire District Electric Company ("Empire"), through the undersigned counsel, and for its Notice Regarding Prehearing Brief respectfully states as follows:

1. As stated in Empire's Notice Regarding Statement of Position previously filed herein, at this time it does not appear that the issue(s) of primary importance to Empire and which led to its intervention herein will be contested issue(s) requiring determination by the Commission. Furthermore, Empire is not presenting any witnesses in these cases. Therefore, at this time there are no issue(s) necessitating briefing by Empire, so Empire will not be filing a Prehearing Brief herein.

2. At this time, Empire reserves its rights to participate in settlement discussions, if any, and to cross-examine witnesses, present argument and file post-hearing briefs in these matters, if it deems the same to be necessary.

Respectfully submitted,


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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing was sent to counsel for parties of record by depositing same in the U.S. Mail first class postage paid, by hand-delivery, or by electronic transmission, this 10th day of January, 2006.

