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

In the Matter of the Application of	)	
The Empire District Electric Company	)	
for a Certificate of Public Convenience	)	
and Necessity Authorizing it to Construct,	)	
Install, Own, Operate, Control, Manage	)	<u>Case No. EA-99-172</u>
and Maintain an Electric Transmission	)	
and Distribution System to Provide Electric	)	
Service in an Area in Greene County,	)	
Missouri.	)	

**ORDER MODIFYING PROCEDURAL SCHEDULE**

On June 25, 1999, The Empire District Electric Company (Empire), the Staff of the Missouri Public Service Commission (Staff), Southwest Electric Cooperative, Ozark Electric Cooperative, and Webster Electric Cooperative, jointly filed a nonunanimous stipulation and agreement regarding the issues in this case. The City of Springfield, Missouri, by and through the Board of Public Utilities, (City of Springfield) is an intervenor in this case and is not a signatory to the stipulation and agreement. The Office of the Public Counsel also has not signed the stipulation and agreement.

The stipulation and agreement recognizes that surrebuttal testimony is to be filed in this case on July 1. The parties who signed the stipulation and agreement agreed that nonsignatory parties may be allowed an additional week to file surrebuttal testimony so that they may address the stipulation and agreement if they wish to do so.

On June 29, the City of Springfield filed a Request for Hearing and for Extension of Time to File Cross-Surrebuttal and for Expeditious Consideration. The City of Springfield asks that it be allowed at least until July 8, and preferably longer, to prepare testimony responsive to the Nonunanimous Stipulation.

The Commission will grant the City of Springfield's motion for additional time in which to file surrebuttal testimony. The procedural schedule previously established in this case will be modified to allow for the filing of surrebuttal or cross-surrebuttal testimony by all parties on July 8. The City of Springfield requested a later date but that request will not be permitted because to do so would require the Commission to also push back the dates for the filing of the statement of issues and witnesses on July 15 and the filing of statements of position on July 22.

**IT IS THEREFORE ORDERED:**

1. That the following modified procedural schedule is adopted for this proceeding:

Date	Event
July 8, 1999, 3:00 p.m.	Surrebuttal or Cross-Surrebuttal Testimony by all parties.
July 15, 1999, 3:00 p.m.	List of Issues and Witnesses by Staff
July 22, 1999, 3:00 p.m.	Statements of Position by All Parties
August 2 & 3, 1999 10:00 a.m. on August 2 and 9:00 a.m. on August 3	Hearing

2. That this order shall become effective on July 1, 1999.

BY THE COMMISSION

A handwritten signature in dark ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, Regulatory Law  
Judge, by delegation of authority  
pursuant to 4 CSR 240-2.120(1),  
(November 30, 1995) and Section 386.240,  
RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 30th day of June, 1999.

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JUN 20 1993

COMMISSIONER OF REVENUE  
FEDERAL BUREAU OF INVESTIGATION