

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
July 12, 2001**

CASE NO: EO-2002-24

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

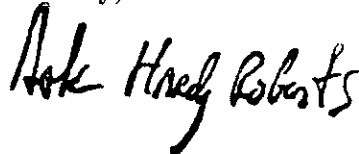
General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

James C. Swearengen/Gary W. Duffy
Brydon, Swearengen & England, P. C.
312 East Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102-0456

Stuart W. Conrad
Finnegan Conrad & Peterson, L.C.
3100 Broadway, Suite 1209
Kansas City, MO 64111

Enclosed find certified copy of an ORDER AND NOTICE in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric)	
Company Joining the Regional Transmission)	<u>Case No. EO-2002-24</u>
Organization of the Southwest Power Pool)	

ORDER AND NOTICE

On July 10, 2001, The Empire District Electric Company filed a pleading indicating that it has filed with the Federal Energy Regulatory Commission (FERC) an application to transfer operational control over designated transmission facilities to the Regional Transmission Organization of the Southwest Power Pool. Empire requests that the Commission issue an order finding that it has no jurisdiction over the subject matter of its application to the FERC. In the alternative, Empire requests that the Commission grant its approval of the transfer of operational control if it determines that it does have jurisdiction.

Proper parties should be given notice and an opportunity to intervene in this matter. The Records Department of the Commission shall send notice to all parties to Empire's most recent rate case. Proper parties wishing to intervene shall file an application to intervene with the Secretary of the Missouri Public Service Commission. Copies of the application to intervene should be sent to the parties listed below.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the

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Commission may determine that a hearing is not necessary and that the applicants may submit their evidence in support of the application by verified statement.¹

IT IS THEREFORE ORDERED:

1. That the Records Department of the Missouri Public Service Commission shall send notice to all parties to The Empire District Electric Company's most recent rate case.

2. That any interested person wishing to intervene in this case shall file an application on or before August 1, 2001, with:

Secretary of the Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

and copies shall be served upon the following persons:

Gary W. Duffy, Attorney at Law
Brydon, Swearingen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102

Attorney for The Empire District Electric Company

and

Office of the Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102

¹ *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

3. That this order shall become effective on July 22, 2001.

BY THE COMMISSION

A handwritten signature in black 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, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

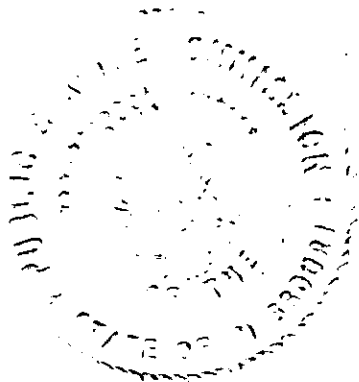
Dated at Jefferson City, Missouri,
on this 12th day of July, 2001.

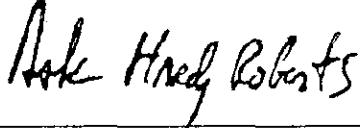
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 12th day of July 2001.





Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge