

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
October 11, 2001**

CASE NO: EO-2002-24

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Enclosed find certified copy of an ORDER 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 DIRECTING FILING OF RECOMMENDATION

On July 10, 2001, The Empire District Electric Company filed a pleading indicating its intent to transfer operational control over certain designated transmission facilities to the Regional Transmission Organization of the Southwest Power Pool (RTO). Empire asks the Commission to find that it does not have jurisdiction over this matter or, in the alternative, approve the plan to join the RTO. On July 12, 2001, the Commission issued an Order and Notice that invited interested parties to file an application to intervene on or before August 1, 2001. No applications to intervene were received.

Empire asks the Commission to find that it does not have jurisdiction over its plan to transfer operational control of its transmission facilities to the RTO. If the Commission does not have jurisdiction, then it will have no need to further consider Empire's application. Before making a decision about its jurisdiction, the Commission would like to have a recommendation from its Staff. The Commission will also permit the other parties an opportunity to explain why the Commission does, or does not, have jurisdiction to consider Empire's application.

IT IS THEREFORE ORDERED:

1. That not later than November 5, 2001, the Staff of the Commission shall file a recommendation regarding whether the Commission has jurisdiction to consider The Empire District Electric Company's application to transfer operational control over certain designated transmission facilities to the Regional Transmission Organization of the Southwest Power Pool.
2. That any other party that wishes to file a recommendation regarding whether the Commission has jurisdiction to consider The Empire District Electric Company's application to transfer operational control over certain designated transmission facilities to the Regional Transmission Organization of the Southwest Power Pool, may do so not later than November 5, 2001.
3. That if any party wishes to file a response to a recommendation filed by any other party, it shall do so not later than November 13, 2001.
4. That this order shall become effective on October 21, 2001.

BY THE COMMISSION



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.

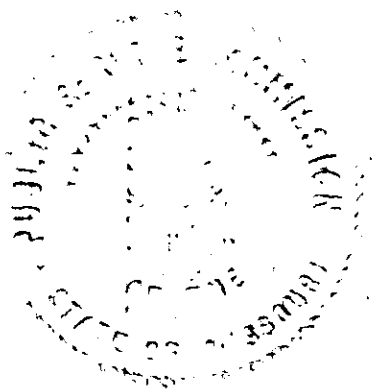
Dated at Jefferson City, Missouri,
on this 11th day of October, 2001.

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 11th day of Oct. 2001.





Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge