

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

In the matter of The Empire District Gas)
Company of Joplin, Missouri for Authority to)
File Tariffs Increasing Rates for Gas Service)
Provided to Customers in the Missouri Service)
Area of the Company.)

Case No. GR-2009-0434

MOTION TO EXTEND DATE FOR FILING OF PRE-FILED REBUTTAL TESTIMONY

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission"),
and for its *Motion to Extend Date for Filing of Pre-Filed Rebuttal Testimony* states as follows:

1. On July 31, 2009, the Commission issued its *Order Setting Procedural Schedule and Setting Test Year*, establishing the procedural schedule for this case. That Order set a date of December 4, 2009 for the filing of pre-filed Rebuttal testimony.

2. The prehearing conference in this case was held the week of November 16, 2009. The parties took that opportunity to discuss settlement and progress has been made in this regard.

3. The parties would like to use their resources to focus on and complete these negotiations, rather than turn their attention to the filing of pre-filed Rebuttal testimony at this time. Accordingly, the parties request that the Commission extend the filing date for pre-filed Rebuttal testimony to December 9, 2009.

4. The parties believe that extending the deadline in this fashion will not prejudice any of the parties, nor would it require any other change in the existing procedural schedule.

5. Staff has contacted Counsel for the Company, the Missouri Department of Natural Resources, Constellation NewEnergy, and Pittsburgh Corning Corporation, who have stated that they support this request. The Office of the Public Counsel does not oppose this request.

WHEREFORE Staff requests the Commission extend the date for the filing of pre-filed Rebuttal testimony until December 9, 2009.

Respectfully submitted,

/s/ Sarah Kliethermes

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 25th day of November, 2009.

/s/ Sarah Kliethermes