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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 25th
day of September, 1997.

In the Matter of The Empire District)	
Electric Company of Joplin, Missouri,)	
for Authority to File Tariffs Increasing)	<u>Case No. ER-97-81</u>
Rates for Electric Service Provided to)	
Customers in the Missouri Service Area of)	
the Company.)	

ORDER GRANTING MODIFICATION OF STIPULATION AND AGREEMENT

The Commission approved an amended Stipulation and Agreement in this matter by Report and Order of July 16, 1997, amended and approved a second time by order of September 11. On September 19 the Commission approved tariffs in compliance with those orders. On September 19 The Empire District Electric Company (EDE) filed a motion to modify the original Stipulation and Agreement to delete paragraph No. 6 of that agreement. EDE states that all parties consent to the modification.

Paragraph 6 of the agreement states that EDE will file a tariff reflecting a thermal energy storage rider. EDE states that subsequent study by EDE and the Staff of the Commission (Staff) indicates that such a rider does not appear to give EDE and participating customers the economic benefits originally anticipated. EDE and the Staff do not believe that such a rider is needed at this time.

The Commission finds the unopposed request to delete paragraph No. 6 to be reasonable. The Commission will modify its original Report and Order and subsequent order to reflect the fact that paragraph No. 6 of the original Stipulation and Agreement is deleted.

IT IS THEREFORE ORDERED:

1. That the original Stipulation and Agreement, as amended and approved by the Commission in its Report and Order of July 16, 1997 and order of September 11, 1997, is hereby modified to delete paragraph No. 6 relating to the filing of a thermal energy storage rider.

2. That this order shall become effective on September 25, 1997.

BY THE COMMISSION

A handwritten signature in dark ink, appearing to read "Cecil I. Wright", with a stylized flourish at the end.

**Cecil I. Wright
Executive Secretary**

(S E A L)

Lumpe, Ch., Crumpton, Murray,
and Drainer, CC., concur.

ALJ: Derque