

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

In the Matter of the tariff filing of The	)	
Empire District Electric Company	)	
to implement a general rate increase for	)	<b><u>Case No. ER-2006-0315</u></b>
retail electric service provided to customers	)	
in its Missouri service area.	)	

**OBJECTION TO NONUNANIMOUS  
STIPULATION AND AGREEMENT  
REGARDING REGULATORY PLAN AMORTIZATION  
AND REQUEST FOR HEARING**

COMES NOW Praxair, Inc. ("Praxair") and Explorer Pipeline Company ("Explorer"), pursuant to 4 CSR 240-2.115, and for their Objection to Nonunanimous Stipulation And Agreement Regarding Regulatory Plan Amortizations and Request for Hearing respectfully state as follows:

1. On October 27, 2006, the Staff of the Missouri Public Service Commission ("Staff"), The Empire District Electric Company ("Empire"), and the Office of the Public Counsel ("OPC") filed their Nonunanimous Stipulation and Agreement Regarding Regulatory Plan Amortizations.

2. Pursuant to 4 CSR 240-2.115, any party that is not a signatory to a non-unanimous stipulation and agreement "shall have seven (7) days from the filing of a nonunanimous stipulation and agreement to file an objection to the nonunanimous stipulation and agreement." As such, Praxair / Explorer have through November 3 to file any objection to the nonunanimous stipulation and agreement.

3. Praxair / Explorer hereby object to the nonunanimous stipulation and agreement and request a hearing thereon pursuant to 4 CSR 240-2.115(E).

4. Pursuant to 4 CSR 240-2.115(2)(E), all issues encompassed by the nonunanimous stipulation and agreement “shall remain for determination *after hearing.*” (emphasis added).

WHEREFORE, Praxair and Explorer respectfully file this Objection to the Nonunanimous Stipulation and Agreement Regarding Regulatory Plan Amortizations and request a hearing on the matter.

Respectfully submitted,

/s/ David L. Woodsmall  
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Attorneys for Praxair, Inc. and  
Explorer Pipeline, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.

/s/ David L. Woodsmall  
David L. Woodsmall

Dated: November 3, 2006