

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

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

SUGGESTIONS IN RESPONSE
TO THE APPLICATIONS FOR REHEARING
OF PUBLIC COUNSEL AND PRAXAIR/EXPLORER

COMES NOW The Empire District Electric Company (“Empire” or the “Company”), by and through counsel, and for its Suggestions in Response to the Applications for Rehearing of the Office of the Public Counsel (“Public Counsel”) and Praxair, Inc. and Explorer Pipeline (“Praxair/Explorer”), respectfully states as follows to the Missouri Public Service Commission (the “Commission”):

1. Empire submits it would be prudent for the Commission to afford an opportunity to hear parties’ applications for rehearing or otherwise afford itself an opportunity to reconsider its Report and Order issued December 21, 2006, to be effective December 31, 2006, as modified by its Order Supplementing and Clarifying Report and Order issued January 9, 2007, to be effective January 19, 2007 (the “Orders”). The Staff of the Commission concurs.¹

2. Empire does not wish to cause undue administrative hardship or unnecessary delay in the processing of this case. It is likely, however, that the Commission will be dealing with this case, in one form or another, for the foreseeable future. As such, Empire submits that the Commission should take this opportunity to put itself in the best possible position with regard to its duties and to possible challenges to the Orders.

3. With their applications for rehearing, Public Counsel and Praxair/Explorer allege procedural deficiencies with respect to the Orders. Although Empire does not agree with the

¹ This concurrence was confirmed by counsel for Staff.

statements set forth in those applications for rehearing, Empire believes that if certain of the alleged procedural errors need to be addressed and resolved, such could be accomplished upon reconsideration or rehearing with the possible issuance of a new report and order and, if necessary, the filing of new compliance tariffs.

4. In the event the Commission affords some opportunity for reconsideration or rehearing, Empire suggests that a conference be established for all interested parties so that scheduling and other procedural matters may be discussed and presented to the Commission for its consideration.

WHEREFORE, The Empire District Electric Company respectfully submits these suggestions.

BRYDON, SWEARENGEN & ENGLAND, P.C.

By: /s/ James C. Swearengen

James C. Swearengen MBE#21510

Dean L. Cooper MBE#36592

L. Russell Mitten MBE#27881

Diana C. Carter MBE#50527

312 East Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102

(573) 635-7166

(573) 635-7431 (facsimile)

DCarter@BrydonLaw.com

ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

Certificate of Service

I hereby certify that the foregoing has been hand-delivered or transmitted by facsimile or electronic mail to all counsel of record on the 22nd day of January, 2007.

/s/ Diana C. Carter