

**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)	<u>Case No. ER-2006-0315</u>
retail electric service provided to customers)	
in its Missouri service area.)	

**OBJECTION TO NONUNANIMOUS
STIPULATION AND AGREEMENT
REGARDING CORPORATE ALLOCATIONS**

COMES NOW, Praxair, Inc. ("Praxair") and Explorer Pipeline Company ("Explorer"), pursuant to 4 CSR 240-2.115, and for its Objection to Nonunanimous Stipulation And Agreement Regarding Corporate Allocations respectfully states as follows:

1. On October 13, 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 Corporate Allocations.

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 until October 20 to file any objection to the nonunanimous stipulation and agreement.

3. As a result of some confusion, counsel for Praxair / Explorer had incorrectly indicated to Staff that it did not oppose the nonunanimous stipulation and

agreement. As a result, the nonunanimous stipulation and agreement indicated non-opposition by Praxair / Explorer.

4. Praxair / Explorer has thoroughly reviewed the nonunanimous stipulation and agreement as well as the underlying prefiled true-up testimony on the issue and files this pleading indicating its objection to the nonunanimous stipulation and agreement.

5. As such, 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 Corporate Allocations and requests a hearing on the matter.

Respectfully submitted,

/s/ David L. Woodsmall
Stuart W. Conrad, MBE #23966
David L. Woodsmall, MBE #40747
3100 Broadway, Suite 1209
Kansas City, Missouri 64111
(816) 751-1122 Ext. 211
Facsimile: (816) 756-0373
Email: stucon@fcplaw.com

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: October 19, 2006