

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri Public)	
Service Commission,)	
)	
Complainant,)	
)	
v.)	<u>Case No. EC-2009-0078</u>
)	
The Empire District Electric Company,)	
)	
Respondent.)	

ORDER ESTABLISHING TIME TO RESPOND TO STAFF'S MOTION
FOR DETERMINATION ON THE PLEADINGS

Issue Date: November 5, 2008

Effective Date: November 5, 2008

On September 2, 2008, the Commission's Staff filed a complaint against The Empire District Electric Company seeking authority to bring a financial penalty action in circuit court for alleged violations of the company's tariff, the Commission's regulations, and the statutes of Missouri. Empire answered that complaint on October 9. On November 5, Staff filed a motion asking the Commission to make a determination in Staff's favor based on the pleadings.

Before considering Staff's motion, the Commission will give the other parties an opportunity to respond.

THE COMMISSION ORDERS THAT:

1. Any party that wishes to respond to Staff's Motion for Determination on the Pleadings shall do so no later than November 17, 2008.

2. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 5th day of November, 2008.