

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric)	
Company of Joplin, Missouri, for Authority to File)	
Tariffs Increasing Rates for Water Service Provided)	<u>Case No. WR-2006-0215</u>
to Customers in the Missouri Service Area of the)	<u>Tariff No. YW-2006-0387</u>
Company.)	

ORDER DIRECTING FILING

Issue Date: December 8, 2005

Effective Date: December 8, 2005

On November 21, 2005, The Empire District Electric Company filed a proposed tariff that will result in increased water service rates. The tariff carries an effective date of January 5, 2006. Along with the tariff, Empire filed a letter indicating that it has reached an agreement in this matter with the Commission's Staff. The Office of the Public Counsel is not a party to that agreement. Staff filed the *Agreement Regarding Disposition of Small Water Company Rate Increase Request* on November 30, 2005.

The Commission issued an order directing filings and adding a party on December 1, 2005. Among other things, the order directed the Commission's Staff to file its recommendation and memorandum no later than December 28, 2005. Due to the expedited nature of the case, the Commission will direct that Staff provide a copy of its recommendation and memorandum to the other parties by facsimile, electronic mail, or overnight mail.

On December 5, 2005, the company filed its Second Customer Notice and Correction to Second Customer Notice. The company indicates that an original notice was mailed on November 25, 2005, and a corrected notice on December 2, 2005. The

corrected notice provides that customer responses to the proposed rate increase may be sent to the Commission and to Public Counsel within 20 days, that is, by December 22, 2005.

Commission rule 4 CSR 240-3.635(D) establishes the procedure for consideration of small water company rate increases. The rule provides that a request for a local public hearing shall be filed within 20 days of the filing of the proposed tariff sheets.¹ The Commission notes that as the proposed tariff sheets were filed on November 21, 2005, any request for a public hearing would be due no later than December 10, 2005. Since December 10, 2005, is a Saturday, the Commission will set the deadline as 12:00 p.m. on Monday, December 12, 2005.

The Commission will also remind the parties that if there is no request for a local public hearing, Public Counsel's pleading in favor of or in opposition to the agreement is due no later than December 15, 2005.

IT IS THEREFORE ORDERED:

1. That any request for a local public hearing shall be filed no later than 12:00 p.m. on December 12, 2005.
2. That the Staff of the Commission shall provide the parties with a copy of its recommendation and memorandum by facsimile, electronic mail, or overnight mail, as discussed above.

¹ The rule includes additional filing deadlines, such as the deadline for Public Counsel to file a pleading indicating its agreement or disagreement with the proposed tariff sheets.

3. That this order shall become effective on December 8, 2005.

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)

Vicky Ruth, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 8th day of December, 2005.