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

In the Matter of the Application of The ) Empire District Electric Company for ) Authority to Issue and Sell under its ) Existing Indenture of Mortgage and Deed ) of Trust Dated as of September 1, 1944, as ) Amended and Supplemented, up to and Including \$255,000,000 Principal Amount ) of its First Mortgage Bonds, in One or More Series, and to, Among Other Things, ) Execute and Deliver a Supplemental ) Indenture or Indentures to Provide for the ) Terms of Said Bonds )

Case No. EF-2006-0263

## STAFF'S SECOND STATUS REPORT

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission") and respectfully states as follows:

1. On December 19, 2005, The Empire District Electric Company ("Empire" or "Company") filed an Application requesting authority to issue and sell, from time to time, up to and including \$255,000,000 aggregate principal amount of Empire's First Mortgage Bonds under its existing Indenture of Mortgage and Deed of Trust.

2. On February 1, 2006, the Commission issued an Order directing the Staff to file its Recommendation or a Status Report regarding the Recommendation by March 1, 2006.

3. On March 1, the Staff filed a Status Report indicating that Staff had additional issues that it needed to analyze, which would result in further Staff inquiry into Empire's Application. The Staff estimated that it would be able to file its Recommendation by March 17,

2006, "[a]ssuming that the Staff is able to obtain any needed additional information from Empire by March 10, 2006."

4. Most of the responses to Staff's data requests were not received until March 13. The responses prompted a number of follow-up questions. The Staff is currently working with Empire to resolve Staff's remaining concerns.

The Staff now anticipates filing its Recommendation on or before March 24,
2006. The Company has indicated that the new anticipated filing date will not cause any problems.

Respectfully submitted,

## /s/ Dennis L. Frey

Dennis L. Frey Senior Counsel Missouri Bar No. 44697

Attorney for the Staff of the Missouri Public Service Commission P. O. Box 360 Jefferson City, MO 65102 (573) 751-8700 (Telephone) (573) 751-9285 (Fax) e-mail: denny.frey@psc.mo.gov

## **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 17th day of March 2006.

<u>/s/ Dennis L. Frey</u>