

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN
CHARLES E. SMARR

PROFESSIONAL CORPORATION
312 EAST CAPITOL AVENUE
P.O. BOX 456
JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7166
FACSIMILE (573) 635-3847
E-MAIL: DCOOPER@BRYDONLAW.COM

DEAN L. COOPER
MARK G. ANDERSON
GREGORY C. MITCHELL
BRIAN T. MCCARTNEY
DIANA C. FARR
JANET E. WHEELER

OF COUNSEL
RICHARD T. CIOTTONI

March 26, 2003

Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED³
MAR 26 2003

RE: Case No. EO-2003-0015

**Missouri Public
Service Commission**

Dear Mr. Roberts:

Enclosed please find an original and eight copies a Notice of Dismissal filed on behalf of The Empire District Electric Company. Please file stamp the enclosed extra receipt copy and return to me for my records.

If you have any questions concerning this matter, then please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

Dean L. Cooper

DLC/tli

Enclosures

cc: John B. Coffman
Steven Dottheim
James M. Fischer
Thomas W. LaBarge
Michael A. Rump

FILED³

MAR 26 2003

Missouri Public
Service Commission

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

In the Matter of The Empire District Electric)
Company Transferring Functional Control)
Over Transmission Facilities to the Midwest)
Independent Transmission System Operator, Inc.) Case No. EO-2003-0015

NOTICE OF DISMISSAL

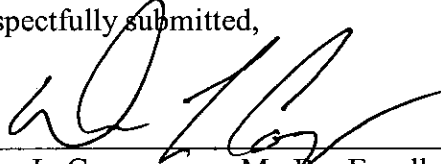
COMES NOW The Empire District Electric Company ("Empire"), and, as its Notice of Dismissal, states as follows to the Missouri Public Service Commission ("Commission"):

1. On July 22, 2002, Empire filed its application which initiated this case. That application requested permission to transfer functional control over designated transmission facilities to a new company that would reflect the consolidation of the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) and the Southwest Power Pool, Inc. (SPP).
2. On March 20, 2003, SPP and MISO issued a press release stating that they had mutually agreed to terminate the consolidation of the organizations and were notifying the Federal Energy Regulatory Commission of this fact.
3. As Empire's application in this case was premised upon the completion of the SPP/MISO merger, Empire does not believe there is any purpose to a continuation of this case at this time.
4. Commission Rule 4 CSR 240-2.116(1) states that a "[a]n applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties."
5. No prepared testimony has been filed, nor has any oral testimony been offered, in

this case.

WHEREFORE, Empire prays that the Commission recognize this Notice of Dismissal and close this case.

Respectfully submitted,



Dean L. Cooper Mo Bar Enrollment #36592
BRYDON, SWEARENGEN & ENGLAND P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
Telephone: (573) 635-7166
Facsimile: (573) 635-3847
dcooper@brydonlaw.com

ATTORNEYS FOR THE EMPIRE
DISTRICT ELECTRIC COMPANY

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was, on this 26th day of March, 2003, sent via U.S. Mail, postage prepaid, or hand delivered, to the following:

John B. Coffman
Office of the Public Counsel
Governor State Office Building
6th Floor
Jefferson City, MO 65101

Steven Dottheim
Office of the General Counsel
Governor State Office Building
6th Floor
Jefferson City, MO 65101

James M. Fischer
Fischer & Dority
1001 Madison, Suite 400
Jefferson City, MO 65101

Thomas W. LaBarge
Aquila, Inc.
20 W. Ninth Street
Kansas City, MO 64105

Michael A. Rump
Kansas City Power & Light
P.O. Box 418679
Kansas City, MO 64141-9679

