

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

In the Matter of the Proposed Charges Related to	)	
the Fuel Adjustment Clause of The Empire District	)	<b><u>File No. EO-2009-0349</u></b>
Electric Company	)	Tariff No. YE-2009-0712

**ORDER DIRECTING FILING**

Issue Date: May 18, 2009

Effective Date: May 18, 2009

On April 1, 2009<sup>1</sup>, The Empire District Electric Company (hereafter "Empire") filed proposed rate schedules, effective June 1, to make adjustments to its fuel adjustment clause (hereafter "FAC"). The Staff of the Commission (hereafter "Staff") filed a favorable recommendation on May 1.

Praxair, Inc., and Explorer Pipeline Company (hereafter "Industrial Intervenors") filed a Motion to Reject Tariffs on May 15. The Commission will order Empire and Staff to respond to Industrial Intervenors' motion.

**THE COMMISSION ORDERS THAT:**

1. The Staff of the Commission and Empire District Electric Company shall respond to the Motion to Reject Tariffs filed by Praxair, Inc and Explorer Pipeline Company no later than noon, May 20, 2009.

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<sup>1</sup> All calendar references are to 2009 unless otherwise noted.

2. This order shall become effective immediately on issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale  
Secretary

( S E A L )

Ronald D. Pridgin, Senior Regulatory Law  
Judge, by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 18<sup>th</sup> day of May, 2009.