STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held at its office in Jefferson City on the 21st day of January, 2009.

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

ORDER APPROVING STIPULATION AND AGREEMENT

Issue Date: January 21, 2009 Effective Date: January 31, 2009

On September 2, 2008, the Commission's Staff filed a complaint against The Empire District Electric Company alleging the company violated its tariffs, Commission rules, and Missouri statutes in its attempt to provide electric service to The Lakes at Shuyler Ridge, a subdivision adjoining the City of Republic, Missouri. On January 14, 2009, Staff, Empire, and the Office of the Public Counsel filed a unanimous stipulation and agreement to resolve Staff's complaint.

The stipulation and agreement provides that Staff will dismiss its complaint with prejudice upon the payment by Empire of \$80,000 to Project Help, as administered by Economic Security Corporation of Southwest Area (ESC) – Joplin, Missouri, and \$20,000 to

the Public School Fund of the State of Missouri. Empire must pay the settlement amounts

using shareholder funds, and will not recover that money from ratepayers.

After reviewing the stipulation and agreement, the Commission finds it to be a

reasonable resolution of Staff's complaint against Empire. The Commission will approve

the stipulation and agreement.

THE COMMISSION ORDERS THAT:

1. The stipulation and agreement filed on January 14, 2009, is approved as a

resolution of Staff's complaint against The Empire District Electric Company. A copy of the

stipulation and agreement is attached to this order.

2. The signatory parties are ordered to comply with the terms of the stipulation

and agreement.

3. This order shall become effective on January 31, 2009.

BY THE COMMISSION

Colleen M. Dale Secretary

(SEAL)

Clayton, Chm., Murray, Davis, Jarrett,

and Gunn, CC., concur.

Woodruff, Deputy Chief Regulatory Law Judge

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