

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

Case No. EC-2009-0078

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

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)

Clayton, Chm., Murray, Davis, Jarrett,
and Gunn, CC., concur.

Woodruff, Deputy Chief Regulatory Law Judge