

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

In the Matter of the Application of The Empire)
District Electric Company for an Accounting)
Authority Order Concerning Reclassification)
of Certain Transmission and Distribution)
Facilities)

File No. EO-2009-0233

ORDER SETTING PREHEARING CONFERENCE

Issue Date March 5, 2009

Effective Date: March 5, 2009

The Empire District Electric Company filed an application with the Commission requesting an accounting authority order as described in the above caption. The Staff of the Commission then filed a pleading recommending that the Commission grant the requested relief until the effective date of new rates in the company's next general rate proceeding before this Commission. Through its response, Empire opposes Staff's recommendation.

This matter is now at issue and a prehearing conference and procedural schedule are appropriate to ensure its prompt resolution. At the prehearing conference, the parties or their representatives should be prepared to discuss the nature of any discovery each will conduct and the interval necessary for its completion; the number of witnesses each expects to call at hearing; the number and nature of any exhibits each expects to offer at hearing; and the anticipated length of the hearing. The parties or their representatives should also be prepared to discuss the current status of settlement negotiations. Although Empire indicates in its response that it has entered into discussions with Staff, it is expected

that the prehearing conference will provide further opportunity for the parties to further pursue settlement discussions.

THE COMMISSION ORDERS THAT:

1. A prehearing conference shall be held on March 24, 2009 beginning at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this public hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

2. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 5th day of March, 2009.