

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of The Empire District)
Electric Company for Authority to Issue and Sell Under)
its Existing Indenture of Mortgage and Deed of Trust)
Dated as of September 1, 1944, as Amended and)
Supplemented, up to and Including \$250,000,000) **EF-2009-0180**
Principal Amount of its First Mortgage Bonds, in One or)
More Series and to, Among Other Things, Execute and)
Deliver a Supplemental Indenture or Indentures to)
Provide for the Terms of Said Bonds)

ORDER DIRECTING STAFF TO FILE A PLEADING STATING WHEN IT WILL FILE A RECOMMENDATION IN THIS CASE

Issue Date: November 20, 2008

Effective Date: November 20, 2008

On November 13, 2008, The Empire District Electric Company ("Empire")¹ filed an application² seeking authority to issue and sell up to and including \$250,000,000 principal amount of its First Mortgage Bonds under its existing Indenture of Mortgage and Deed of Trust.³ The Commission will need a recommendation from its Staff before acting on Empire's application. Therefore, the Commission will direct its Staff to promptly respond to Empire's application and will permit any other interested party to respond. Staff shall indicate in its response when it will be able to file a recommendation in this matter.

¹ Empire is engaged, generally, in the business of generating, purchasing, transmitting, distributing and selling electric energy in portions of Missouri, Kansas, Arkansas and Oklahoma.


² The application is filed pursuant to Sections 393.180 and 393.190, RSMo 2000, and Commission Rules 4 CSR 240-2.060, 2.080, 3.110 and 3.605.

³ The Bank of New York Mellon Trust Company, N.A., is the principal trustee, and UMB Bank & Trust, N.A. is co-trustee. The Indenture of Mortgage and Deed of Trust, as amended and supplemented, including thirty-three (33) Supplemental Indentures, constitutes a first mortgage lien on substantially all of the properties presently owned by Empire and contains provisions for subjecting after-acquired property to the lien thereof.

THE COMMISSION ORDERS THAT:

1. No later than December 1, 2008, the Staff of the Missouri Public Service Commission shall file a pleading responding to The Empire District Electric Company's financing application and state in that response when it anticipates filing its recommendation in this case.
2. Any other party that wishes to respond to The Empire District Electric Company's financing application shall do so no later than December 1, 2008.
3. This order shall become effective immediately upon issue.

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)

Harold Stearley, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of November, 2008.