

**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 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)

Case No. **EF-2009-0180**

STAFF'S RESPONSE

COMES NOW the Staff of the Missouri Public Service Commission (Staff) in response to the Missouri Public Service Commission's (Commission) November 20, 2007 Order Directing Staff To File A Pleading Stating When It Will File A Recommendation In This Case. In response, the Staff states as follows:

1. On November 13, 2008, The Empire District Electric Company filed an application 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. The Commission directed the Staff to indicate by a filing no later than December 1, 2008 when the Staff can file a recommendation regarding Empire's Application.

2. Staff has submitted several data requests requesting additional information to analyze the proposed transactions. Assuming Staff receives timely and adequate responses to these data requests, Staff believes it can file its recommendation by January 13, 2009, which is sixty days from the filing date of the application. The Staff requests the Commission allow the Staff until January 13, 2009 to file its Recommendation.

Wherefore the Staff states that it anticipates a filing date of January 13, 2009 for Staff's Recommendation in this matter.

Respectfully submitted,

/s/ Sarah L. Kliethermes
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Missouri Bar No. 60024

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 20th day of November, 2008.

/s/ Sarah L. Kliethermes