

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Empire District Electric)
Company's Application for Variance Concerning) File No. EE-2012-0095
Commission Rule 4 CSR 240-22.080)

ORDER ESTABLISHING PROCEDURAL SCHEDULE

Issue Date: November 21, 2011

Effective Date: November 21, 2011

The Empire District Electric Company has applied to the Commission for a variance from certain provisions of Commission Rule 4 CSR 240-22.080. On November 17, 2011, the Commission's Staff, acting on behalf of all the parties, filed a proposed procedural schedule. The parties indicate that although a dispute exists regarding Empire's application, there is no factual dispute that would require an evidentiary hearing. For that reason, the parties ask the Commission to establish a procedural schedule that requires the parties to file recommendations followed by an oral argument.

The Commission will adopt the procedural schedule proposed by the parties, but notes that even though the parties do not dispute any facts; the Commission will still need to have a factual basis for its decision. Therefore, the Commission will direct the parties to submit an agreed-upon statement of facts as part of the procedural schedule.¹

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Non-Utility Parties File Recommendations - December 7, 2011

Empire Responds to Recommendations - December 16, 2011

¹ The agreed-upon facts do not have to be extensive. If the parties agree upon the facts stated in Empire's application, a statement to that effect would be sufficient.

Agreed-Upon Statement of Facts and Joint Issues List	-	January 9, 2012
Statements of Position	-	January 11, 2012
Oral Argument	-	January 12, 2012

2. The oral argument shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this argument, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the argument.

3. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Morris L. Woodruff, Chief Regulatory
Law Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 21st day of November, 2011.