

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

In the Matter of The Empire District Electric)
Company's Application for Variance and)
Request for Clarification Concerning Selected)
Provisions of Commission Rules Related to)
Electric Utility Resource Planning.)
Case No. EE-2010-0246

**ORDER PROVIDING NOTICE, ESTABLISHING INTERVENTION DEADLINE,
AND DIRECTING RESPONSE**

Issue Date: March 1, 2010

Effective Date: March 1, 2010

On February 26, 2010, The Empire District Electric Company asked the Commission to grant it variances from certain requirements of the Commission's Integrated Resource Planning Rule, 4 CSR 240-22. Empire also seeks clarification of other requirements. The Commission's rule requires Empire to file its Integrated Resource Planning Filing (IRP) in September 2010. The purpose of the IRP filing is to ensure that investor-owned electric utilities, such as Empire, consider all options, including demand side efficiency and energy management measures, to provide safe, reliable, and efficient electric service to the public at reasonable rates, in a manner that serves the public interest.

Since the Commission's decision to grant or deny the requested variances may affect the substance of Empire's IRP filing, the Commission will provide notice to other potential interested parties and the public, and will establish an intervention deadline. The Commission must act on Empire's request quickly so Empire can have guidance from the Commission before filing its IRP in September. Therefore, the Commission will establish a date for its Staff and other interested parties to offer recommendations regarding Empire's request for variances and clarification.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall mail a copy of this order to all parties to The Empire District Electric Company's current rate case, ER-2010-0130.

2. The Commission's Public Information Office shall make notice of this order available to the media serving The Empire District Electric Company's service area and to the members of the General Assembly representing The Empire District Electric Company's service area.

3. Any proper person wishing to intervene in this matter shall file an application to do so no later than March 21, 2010. Such applications shall be filed with:

Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

with a copy served on:

Dean L. Cooper
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102
ATTORNEY FOR THE EMPIRE DISTRICT ELECTRIC COMPANY

and:

Office of the Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102

4. Any party wishing to respond to The Empire District Electric Company shall do so no later than March 31, 2010.

5. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of March, 2010.