

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the First Prudence Review of Costs       )  
Subject to the Commission-Approved Fuel Adjustment    )  
Clause of The Empire District Electric Company        )  
**File No. EO-2010-0084**

## ORDER AND NOTICE

Issue Date: September 10, 2009

Effective Date: September 10, 2009

On September 9, 2009, the Commission's Staff filed a notice indicating commencement of its prudence audit of the fuel adjustment clause established by the Commission for The Empire District Electric Company ("Empire"). Pursuant to Commission Rule 4 CSR 240-3.161(10), all parties to the rate case in which the Commission established Empire's fuel adjustment clause are automatically parties to this prudence audit.

Staff has already issued notice of this action pursuant to Commission Rule 4 CSR 240-20.090(7)(B).<sup>1</sup> This additional notice will also set an intervention deadline for any interested persons or entities not already made party to matter.

### THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall mail a copy of this order and notice to each of the parties in The Empire District Electric Company's previous rate case; File No. ER-2008-0093.

2. The Commission's Data Center shall add all parties from The Empire District Electric Company's last general rate case; i.e. File Number ER-2008-0093, to the service list for this case.

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<sup>1</sup> Commission Rule 4 CSR 240-20.090(7)(B) also requires Staff to file its recommendation regarding the audit no later than 180 days after initiating it. The rule allows other parties until Day-190, post audit initiation, to request a hearing. If no hearing is requested the Commission must issue an order concerning the review no later than Day 210, post audit initiation.

3. The Commission's Data Center shall mail a copy of this order and notice to every County Commission in the service area of The Empire District Electric Company.

4. The Commission's Information Officer shall serve notice of this order and notice to the media serving The Empire District Electric Company's service area and to the members of the General Assembly representing the public in The Empire District Electric Company's service area.

5. Any person, group or entity wishing to intervene in this matter shall file an application to intervene no later than September 28, 2009. Such applications shall be filed with:

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

6. This order shall become effective immediately upon issuance.

( S E A L )

**BY THE COMMISSION**



Steven C. Reed  
Secretary

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

Dated at Jefferson City, Missouri,  
on this 10th day of September, 2009.