

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

In the Matter of the Second Prudence Review)
Of Costs Subject to the Commission-Approved) **Case No. EO-2011-0285**
Fuel Adjustment Clause of The Empire District)
Electric Company)

ORDER DIRECTING NOTICE, ACKNOWLEDGING AUTOMATIC PARTIES, AND ESTABLISHING INTERVENTION DATE

Issue Date: March 10, 2011

Effective Date: March 10, 2011

On March 9, 2011, the Commission's Staff ("Staff") filed a notice indicating that on March 1, 2011, it started its prudence audit of the fuel adjustment clause the Commission established for The Empire District Electric Company ("Empire"), in that company's last rate case, ER-2008-0093. Commission Rule 4 CSR 240-20.090(7)(B) requires Staff to file notice regarding the commencement of its audit. That rule also requires Staff to file its recommendation regarding the audit no later than 180 days after it initiates the audit. The rule then allows other parties to the case until 190 days after initiation of the audit to request a hearing.

The Commission will give notice of the commencement of Staff's audit to potentially interested parties, and will set a date for the filing of requests to intervene. Commission Rule 4 CSR 240-3.161(10) provides that parties to the rate case in which the Commission established the fuel adjustment clause are automatically parties to this prudence audit case. The Commission thus acknowledges that the parties to ER-2008-0093 are parties to this case without having to apply for intervention. The Data Center shall add those parties to the service list.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall add the following parties from ER-2008-0093 to the service list for this case:

Enbridge Energy, LP
Explorer Pipeline
General Mills, Inc.
Missouri Department of Natural Resources
Praxair, Inc.
Wal-Mart Stores, Inc.

2. The Commission's Data Center shall mail a copy of this notice to all parties to The Empire District Electric Company's current rate case, ER-2011-0004.

3. Any proper person wishing to intervene in this matter shall file an application to intervene no later than March 30, 2011. Such applications shall be filed with:

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

4. This order shall become effective on immediately upon issuance.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

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 10th day of March, 2011.