

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric Company's )  
Application Concerning Demand-Side Programs ) File No. EO-2012-0206  
and a Demand-Side Program Investment Mechanism )

## NOTICE ACKNOWLEDGING WITHDRAWAL OF APPLICATION AND CLOSING FILE

Issue Date: July 5, 2012

On July 5, 2012, The Empire District Electric Company ("Empire") filed a notice that it was withdrawing its application for approval of a demand-side management portfolio and for the authority to establish a Demand-Side Management Investment Mechanism rider pursuant to the Missouri Energy Efficiency Investment Act.

Commission Rule 4 CSR 240-2.116(1) provides:

An applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered by filing a notice of dismissal with the commission. Once evidence has been offered or prepared testimony filed, an applicant or complainant may dismiss an action only by leave of the commission, or by written consent of all the parties.

Empire has satisfied the requirements of the rule. Therefore, the Commission acknowledges that Empire has withdrawn its application. Nothing remains for decision by the Commission, and this file may be closed.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

(S E A L)

Dated at Jefferson City, Missouri,  
on this 5<sup>th</sup> day of July, 2012.

Stearley, Deputy Chief Regulatory Law Judge