

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

In the Matter of the Application of The Empire )	
District Electric Company and White River Valley )	
Electric Cooperative for Approval of a Written )	Case No. EO-2007-0161
Territorial Agreement Designating the Boundaries of )	
Exclusive Service Areas for Each Applicant within the )	
Missouri Counties of Stone & Taney. )	

**STAFF RECOMMENDATION  
TO APPROVE TARIFF SHEETS**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”) and, for its recommendation that the Commission either issue an order approving the eight (8) tariff sheets The Empire District Electric Company (“Empire”) filed on February 5, 2007, effective on or before March 7, 2007, or allow them to go into effect by operation of law on the proposed effective date of March 7, 2007, states:

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends the Missouri Public Service Commission either issue an order approving the eight (8) tariff sheets The Empire District Electric Company (“Empire”) filed on February 5, 2007, to become effective on or before March 7, 2007, or allow them to go into effect March 7, 2007, by operation of law, because they comply with the Commission’s January 21, 2007, Report and Order approving Empire’s Fifth Territorial Agreement with White River Valley Electric Cooperative, Inc., and reflect the changes to Empire’s Missouri service area that result from that agreement.

**WHEREFORE**, the Staff respectfully recommends to the Commission that it either issue an order approving the eight (8) tariff sheets The Empire District Electric Company (“Empire”)

filed on February 5, 2007, to become effective on or before March 7, 2007, or allow them to go into effect March 7, 2007, by operation of law.

Respectfully submitted,

/s/ Nathan Williams  
Nathan Williams  
Deputy General Counsel  
Missouri Bar No. 35512

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Missouri Public Service Commission  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 21<sup>st</sup> day of February 2007.

/s/ Nathan Williams  
Nathan Williams

## MEMORANDUM

TO: Missouri Public Service Commission Official Case File  
Case No. EO-2007-0161, File No. YE-2007-0547  
The Empire District Electric Company

FROM: James Watkins, Manager, Economic Analysis  
Tom Imhoff, Rate & Tariff Examination Supervisor  
Jim Ketter, Engineer  
Mack McDuffey, Rate & Tariff Examiner II

/s/ James Watkins 02/21/07  
Energy Department / Date

/s/ Nathan Williams 02/21/07  
General Counsel's Office/Date

SUBJECT: Staff Recommendation For **Approval** of Tariff Sheets Filed To Comply With The  
Commission's Report And Order Issued January 21, 2007

DATE: February 21, 2007

On February 5, 2007, The Empire District Electric Company (Empire or Company) of Joplin, Missouri, filed with the Commission eight (8) tariff sheets with a proposed effective date of March 7, 2007 to reflect the changes to its Missouri service area as a result of its Fifth Territorial Agreement with White River Valley Electric Cooperative, Inc., approved by the Commission in its Report And Order (Order) issued January 21, 2007, effective January 26, 2007. In its Order the Commission directed Empire to file such revised tariff sheets by no later than February 21, 2007.

The Commission's Energy Department Staff (Staff) has reviewed the filed tariff sheets, and is of the opinion that they were timely filed and are in compliance with the Commission's Order. The Staff therefore recommends that the Commission issue an order approving the following proposed tariff sheets, as filed on February 5, 2007, to become effective on March 7, 2007, as requested by Empire, or permit the tariff sheets to go into effect by operation-of-law:

P.S.C. Mo. No. 5

Section A, 22<sup>nd</sup> Revised Sheet No. 1 Canceling 21<sup>st</sup> Revised Sheet No. 1  
Section B, Original Sheet No. 9  
Section B, Original Sheet No. 10  
Section B, Original Sheet No. 11  
Section B, Original Sheet No. 12  
Section B, Original Sheet No. 13  
Section B, Original Sheet No. 14  
Section B, Original Sheet No. 15

The Staff has verified that this Company is not delinquent on any assessment or the filing of its annual report. The Staff is not aware of any other matter pending before the Commission that affects or is affected by this tariff filing.

My commission expires 9-21-11