

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

In the Matter of the Application of	)	
The Empire District Electric Company	)	
for Authority to Transfer Functional Control	)	Case No. EO-2006-0141
of Certain Transmission Assets to the	)	
Southwest Power Pool, Inc.	)	

**PROPOSED PROCEDURAL SCHEDULE**

COMES NOW The Empire District Electric Company (Empire or Applicant), and also on behalf of Kansas City Power & Light Company; Aquila, Inc.; the Staff of the Missouri Public Service Commission; the Office of the Public Counsel; Southwest Power Pool, Inc. (SPP); and, Midwest Independent Transmission System Operator, Inc., states as follows to the Missouri Public Service Commission (Commission):

1. Empire noted in its Application that the SPP Regional Transmission Organization (RTO) is scheduled to begin its Energy Imbalance Service (EIS) market on May 1, 2006. The EIS market is designed to create a real-time energy spot market based on locational pricing. Based upon a desire to complete these proceedings in time for Empire to have the opportunity to fully participate in the EIS market, Empire's Application requested that the Commission address this matter prior to May 1, 2006.

2. The parties have discussed this timing issue and have agreed that setting a procedural schedule would further the goal of presenting this case to the Commission for a timely decision. The procedural schedule agreed to by the parties calls for both negotiations with a goal toward possible settlement and the scheduling of litigation landmarks, in case the parties are unable to settle the case.

3. With these goals in mind, the parties propose the following procedural schedule:

**Event**

**Date**

**I. STIPULATION DISCUSSION.**

Stipulation Discussion Dates	December 12 and 21, 2005;
Meetings and/or Teleconferences	January 6; January 12-13, 2006 and February 2, 2006 (10:00 a.m.)

File a Stipulation (Invoking Schedule IIA) February 6, 2006  
or a Status Report indicating that agreement  
cannot be reached (Invoking Schedule IIB)

***IIA. IF STIPULATION HAS BEEN REACHED (Stipulation filed on February 6, 2006).***

Staff Memorandum	February 14, 2006
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Stipulation Presentation	February 21, 2006 (p.m.)
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***IIB. IF STIPULATION CANNOT BE REACHED (Status Report filed on February 6, 2006, indicating that agreement cannot be reached).***

Rebuttal Testimony	February 14, 2006
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Surrebuttal Testimony	March 3, 2006
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List of Issues, Order of Witnesses And Order of Cross Examination	March 3, 2006
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Prehearing Brief	March 10, 2006
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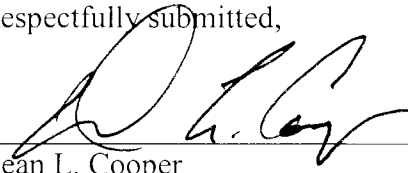
Hearing	March 27-29, 2006
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Briefs	April 13, 2006
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4. Further, beginning with data requests served on or after January 3, 2006, recipients of such data requests shall, within ten (10) days after receipt of a data request, answer the data request, object to the data request, or assert an inability to answer the data request within ten (10) days, as appropriate.

WHEREFORE, the parties respectfully request the Commission to establish the procedural schedule identified herein.

Respectfully submitted,



Dean L. Cooper

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ATTORNEYS FOR THE EMPIRE DISTRICT  
ELECTRIC COMPANY

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered, or sent by electronic mail, on December 9, 2005, to the following:

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