

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 3rd day of
June, 2009.

In the Matter of the Application of The Empire)
District Electric Company and White River)
Electric Cooperative for Approval of a Written)
Territorial Agreement Designating the)
Boundaries of Exclusive Service Areas within)
Taney County)

File No. EO-2009-0284

ORDER EXTENDING TIME FOR COMMISSION TO ACT

Issue Date: June 3, 2009

Effective Date: June 3, 2009

On February 3, 2009, The Empire District Electric Company and White River Valley Electric Cooperative filed an application seeking approval of a territorial agreement. After discussions with the Staff of the Commission, the applicants filed an amendment to the application on May 28. Staff has yet to file its recommendation and requests that it be allowed to do so on June 10.

Under Section 394.312.4 RSMo (2008), unless otherwise ordered for good cause shown, the Commission shall rule on applications for approval of territorial agreements in 120 days. The 120th day since this application was filed will run on June 3. On June 1, the Staff of the Commission filed a request to extend this deadline and that it be ordered to file a recommendation on June 10. However, the Commission's next Agenda meeting will be held on June 10. In order to consider this matter at that meeting the Commission will direct Staff to file its recommendation no later than June 9.

The Judge presiding over this matter held a conference call with the Staff of the Commission and applicants to determine whether there were any concerns with extending the 120-day deadline. There were none. The Commission concludes that there is good cause to extend the 120-day requirement.

THE COMMISSION ORDERS THAT:

1. The deadline for acting on the application for approval of the territorial agreement between The Empire District Electric Company and White River Valley Electric Cooperative is extended beyond the 120th day for good cause shown.
2. The Staff of the Commission shall file its recommendation no later than 5:00 p.m. on June 9, 2009.
3. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Clayton, Chm., Davis, Jarrett,
and Gunn, CC., concur.

Jones, Senior Regulatory Law Judge