

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

In the Matter of the Application of The Empire)
District Electric Company and Ozark Electric)
Cooperative for Approval of a Written)
Territorial Agreement Designating the)
Boundaries of an Exclusive Service Area for)
Ozark Electric Cooperative within a Tract of)
Land in Greene County, Missouri and)
Associated Requests for Approval of a)
Transfer of Facilities and Changes of Supplier.)

Case No. EO-2008-0043

STAFF’S RECOMMENDATION TO APPROVE TARIFF SHEETS

COMES NOW the Staff of the Missouri Public Service Commission and, for its recommendation the Public Service Commission (“Commission”) approve the proposed tariff sheets The Empire District Electric Company (“Empire”) filed on April 14, 2008, to revise the description of its service territory, states:

1. On April 14, 2008 Empire filed two tariff sheets to revise the description of Empire’s service territory in its tariff by identifying by map and legal description the boundaries of the exclusive territories to which Empire and Ozark Electric Cooperative agreed in their territorial agreement the Commission approved in this case.

2. In the attached Memorandum (Appendix A), the Missouri Public Service Commission Energy Department Staff (Staff) states that it has reviewed the proposed tariff sheets, is of the opinion that they were filed in a timely manner and are in compliance with the Commission’s Report and Order issued in this case, and. recommends that the Commission issue an order approving the proposed tariff sheets, to become effective on May 14, 2008, as requested by Empire, or permit the tariff sheets to go into effect by operation-of-law.

WHEREFORE, the Staff recommends that the Commission issue an order approving the following proposed tariff sheets, to become effective on May 14, 2008, as requested by Empire, or permit the tariff sheets to go into effect by operation-of-law:

P.S.C. Mo. No. 5, Section B

Original Sheet No. 20

Original Sheet No. 20a

Respectfully submitted,

/s/ Nathan Williams

Nathan Williams

Deputy General Counsel

Missouri Bar No. 35512

Attorney for the Staff of the
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 1st day of May, 2008.

/s/ Nathan Williams_____

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. EO-2008-0043, Tariff Tracking No. YE-2008-0617
The Empire District Electric Company

FROM: James Watkins, Manager, Economic Analysis
Dan Beck, Engineer
Mack McDuffey, Rate & Tariff Examiner II

/s/ James Watkins 05/01/08
Energy Department / Date

/s/ Nathan Williams 05/01/08
General Counsel's Office/Date

SUBJECT: Staff Recommendation For **Approval** of Tariff Sheets Filed to Revise Its Service Territory To Comply With The Commission's Report And Order Issued March 4, 2008

DATE: May 2, 2008

On April 14, 2008, The Empire District Electric Company (Empire or Company) of Joplin, Missouri, filed with the Commission two (2) tariff sheets, each bearing a proposed effective date of May 14, 2008, to comply with the Commission's Report And Order Issued March 4, 2008, Effective March 14, 2008 in Case No. EO-2008-0043 (Report And Order). These tariff sheets revise the Company's Description of Service Territory by identifying by map and legal description the boundaries of the exclusive territories agreed to in the Territorial Agreement between Empire and Ozark Electric Cooperative (Territorial Agreement). In its Report And Order the Commission approved the Territorial Agreement and directed Empire to file such revised tariff sheets by no later than 30 days after effective date of this Report And Order, *i.e.*, April 14, 2008.

Staff Recommendation

The Commission's Energy Department Staff (Staff) has reviewed the proposed tariff sheets, and is of the opinion that they were filed in a timely manner and are in compliance with the Commission's Report And Order. The Staff therefore recommends that the Commission issue an order approving the following proposed tariff sheets, as filed on April 14, 2008, to become effective on May 14, 2008, as requested by Empire, or permit the tariff sheets to go into effect by operation-of-law:

P.S.C. Mo. No. 5, Section B
Original Sheet No. 20
Original Sheet No. 20a

The Staff has verified that this Company is not delinquent on any assessment or the filing of its 2007 annual report. The Staff is not aware of any other matter pending before the Commission that affects or is affected by this tariff filing.

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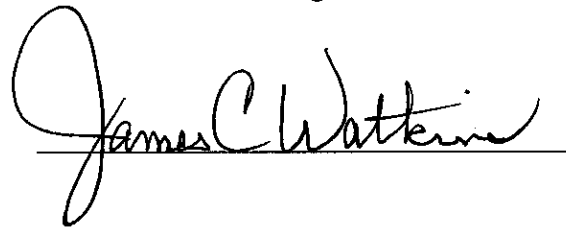
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the Boundaries of an Exclusive Service Area for Ozark)
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Facilities and Change of Supplier)

Case No. EO-2008-0043
Tariff No. YE-2008-0617

AFFIDAVIT OF JAMES C. WATKINS

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

James C. Watkins, of lawful age, on oath states: that he has participated in the preparation of the foregoing Staff Recommendation; that he has knowledge of the matters set forth in such recommendation; and that such matters are true to the best of his knowledge and belief.



Subscribed and sworn to before me this 1st day of May, 2008.



Notary Public

My commission expires 9-23-2008_____

