

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 of Certain Transmission Assets to the Southwest)
Power Pool, Inc.)
Case No. EO-2006-0141

ORDER DIRECTING FILING

Issue Date: October 26, 2005

Effective Date: October 26, 2005

On September 28, 2005, The Empire Electric District Company filed with the Missouri Public Service Commission an application for authority to transfer functional control of certain transmission assets to the Southwest Power Pool, Inc. On October 18, 2005, Aquila, Inc. filed an application to intervene.

In its discussions during the Agenda Meeting on October 25, 2005, the Commission expressed a desire to have input regarding Aquila's request to intervene from the Staff of the Commission; particularly, Dr. Michael Proctor who the Commission considers to have extensive knowledge with regard to power pools.

The Commission will therefore require Staff to file a pleading indicating whether it opposes or supports Aquila's request to intervene. Moreover, if Staff supports Aquila's request, the Commission will require that Staff explain how Aquila's participation in this matter, as a party, will serve the public interest.

IT IS THEREFORE ORDERED:

1. That the Staff of the Commission shall file no later than November 7, 2005, a pleading as described in the body of this order.

2. That this order shall become effective on October 26, 2005.

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)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 26th day of October, 2005.