

date. Furthermore, because a hearing on the tariff cannot be concluded within 120 days, the tariff will be suspended for an additional six months.

Test Year, True-up and Local Public Hearing Recommendations

Empire states the test year used in this case is based upon the Commission's Staff's final accounting schedules from Case No. ER-2010-0130, Empire's last rate case, which is less than a year old. Empire believes that since its last rate case is less than a year old that the adjustment process should be streamlined. To quickly resolve test year and true-up questions, the Commission will require the other parties to promptly state their positions regarding Empire's test year proposal, as well as the need for a true-up.

In addition to test year and true-up recommendations, the Commission will direct the parties to file recommendations regarding the scheduling of local public hearings. Any party recommending local public hearings shall also offer recommendations regarding the number, date, time, and location of those hearings.

Hearing Dates, Customer Notice, and Prehearing Conference

The Commission will schedule an evidentiary hearing in this order and will reserve dates for a true-up hearing. By establishing the hearing dates now, the Commission will ensure that this matter is heard as expeditiously as possible. Additionally, the early establishment of the hearing dates will allow ample time for notice to be sent to customers. The Commission will also set an early prehearing conference and require the parties to file a proposed procedural schedule. Staff will have primary responsibility for preparing the

proposed procedural schedule, but should coordinate the proposed schedule with the other parties as much as possible.

Notice and Intervention:

The Commission's Data Center shall serve a copy of this order upon the county commissions of the counties in Empire's service area. In addition, the Commission's Public Information Office shall make notice of this order available to the media serving Empire's service area and to the members of the General Assembly representing that area. The Commission will allow proper persons 15 days from the issuance of this order to file an application to intervene.

THE COMMISSION ORDERS THAT:

1. The tariff submitted under Tariff File No. YE-2011-0154, on September 28, 2010, by The Empire District Electric Company, for the purpose of increasing rates for electric service, is suspended for 120 days, from September 28, 2010, to January 26, 2011.
2. The tariff suspended for 120 days in ordered paragraph 1, is suspended an additional six months beyond January 26, 2011, to July 26, 2011.
3. The specific tariff sheets suspended are:

P.S.C. MO. No. 5

Sec. A, 26th, Revised Sheet No. 1; Canceling Sec. A, 25th, Revised Sheet No. 1

Sec. 1, 16th, Revised Sheet No. 1; Canceling Sec. 1, 15th, Revised Sheet No. 1

Sec. 2, 15th, Revised Sheet No. 1; Canceling Sec. 2, 14th, Revised Sheet No. 1

Sec. 2, 15th, Revised Sheet No. 2; Canceling Sec. 2, 14th, Revised Sheet No. 2

Sec. 2, 15th, Revised Sheet No. 3; Canceling Sec. 2, 14th, Revised Sheet No. 3

Sec. 2, 16th, Revised Sheet No. 4; Canceling Sec. 2, 15th, Revised Sheet No. 4
Sec. 2, 15th, Revised Sheet No. 6; Canceling Sec. 2, 14th, Revised Sheet No. 6
Sec. 2, 15th, Revised Sheet No. 7; Canceling Sec. 2, 14th, Revised Sheet No. 7
Sec. 2, 11th, Revised Sheet No. 9; Canceling Sec. 2, 10th, Revised Sheet No. 9
Sec. 2, 8th, Revised Sheet No. 9b; Canceling Sec. 2, 7th, Revised Sheet No. 9b
Sec. 2, 10th, Revised Sheet No. 13; Canceling Sec. 2, 9th, Revised Sheet No. 13

Sec. 3, 7th, Revised Sheet No. 1a; Canceling Sec. 3, 6th, Revised Sheet No. 1a
Sec. 3, 15th, Revised Sheet No. 3; Canceling Sec. 3, 14th, Revised Sheet No. 3
Sec. 3, 15th, Revised Sheet No. 4; Canceling Sec. 3, 14th, Revised Sheet No. 4

Sec. 4, 1st, Revised Sheet No. 8a.1; Canceling Sec. 4, Original Sheet No. 8a.1
Sec. 4, 4th, Revised Sheet No. 8c; Canceling Sec. 4, 3rd Revised Sheet No. 8c
Sec. 4, 2nd, Revised Sheet No. 8d; Canceling Sec. 4, 1st Revised Sheet No. 8d
 Sec. 4, 1st, Revised Sheet No. 8f; Canceling Sec. 4, Original Sheet No. 8f
 Sec. 4, 1st, Revised Sheet No. 8g; Canceling Sec. 4, Original Sheet No. 8g
 Sec. 4, 1st, Revised Sheet No. 8h; Canceling Sec. 4, Original Sheet No. 8h
 Sec. 4, 1st, Revised Sheet No. 8j; Canceling Sec. 4, Original Sheet No. 8j
Sec. 4, 6th, Revised Sheet No. 9; Canceling Sec. 4, 5th Revised Sheet No. 9
Sec. 4, 4th, Revised Sheet No. 10; Canceling Sec. 4, 3rd Revised Sheet No. 10
Sec. 4, 5th, Revised Sheet No. 11; Canceling Sec. 4, 4th Revised Sheet No. 11

Sec. 5, 7th, Revised Sheet No. A; Canceling Sec. 5, 6th Revised Sheet No. A
Sec. 5, 5th, Revised Sheet No. 1; Canceling Sec. 5, 4th Revised Sheet No. 1
Sec. 5, 6th, Revised Sheet No. 2; Canceling Sec. 5, 5th Revised Sheet No. 2
Sec. 5, 3rd, Revised Sheet No. 2a; Canceling Sec. 5, 2nd Revised Sheet No. 2a
Sec. 5, 6th, Revised Sheet No. 3; Canceling Sec. 5, 5th Revised Sheet No. 3
Sec. 5, 5th, Revised Sheet No. 4; Canceling Sec. 5, 4th Revised Sheet No. 4
Sec. 5, 4th, Revised Sheet No. 5; Canceling Sec. 5, 3rd Revised Sheet No. 5
Sec. 5, 4th, Revised Sheet No. 6; Canceling Sec. 5, 3rd Revised Sheet No. 6
Sec. 5, 5th, Revised Sheet No. 7; Canceling Sec. 5, 4th Revised Sheet No. 7
Sec. 5, 5th, Revised Sheet No. 8; Canceling Sec. 5, 4th Revised Sheet No. 8
Sec. 5, 6th, Revised Sheet No. 9; Canceling Sec. 5, 5th Revised Sheet No. 9
Sec. 5, 7th, Revised Sheet No. 10; Canceling Sec. 5, 6th Revised Sheet No. 10
Sec. 5, 6th, Revised Sheet No. 11; Canceling Sec. 5, 5th Revised Sheet No. 11
Sec. 5, 3rd, Revised Sheet No. 11a; Canceling Sec. 5, 2nd Revised Sheet No. 11a
Sec. 5, 8th, Revised Sheet No. 12; Canceling Sec. 5, 7th Revised Sheet No. 12
Sec. 5, 6th, Revised Sheet No. 13; Canceling Sec. 5, 5th Revised Sheet No. 13
Sec. 5, 5th, Revised Sheet No. 14; Canceling Sec. 5, 4th Revised Sheet No. 14
Sec. 5, 5th, Revised Sheet No. 15; Canceling Sec. 5, 4th Revised Sheet No. 15
Sec. 5, 5th, Revised Sheet No. 16; Canceling Sec. 5, 4th Revised Sheet No. 16
Sec. 5, 5th, Revised Sheet No. 17; Canceling Sec. 5, 4th Revised Sheet No. 17
Sec. 5, 2nd, Revised Sheet No. 17a; Canceling Sec. 5, 1st Revised Sheet No. 17a
Sec. 5, 2nd, Revised Sheet No. 17b; Canceling Sec. 5, 1st Revised Sheet No. 17b
Sec. 5, 2nd, Revised Sheet No. 17c; Canceling Sec. 5, 1st Revised Sheet No. 17c

Sec. 5, 2nd, Revised Sheet No. 17d; Canceling Sec. 5, 1st Revised Sheet No. 17d
Sec. 5, 2nd, Revised Sheet No. 17e; Canceling Sec. 5, 1st Revised Sheet No. 17e
Sec. 5, 2nd, Revised Sheet No. 17f; Canceling Sec. 5, 1st Revised Sheet No. 17f
Sec. 5, 6th, Revised Sheet No. 18; Canceling Sec. 5, 5th Revised Sheet No. 18
Sec. 5, 5th, Revised Sheet No. 19; Canceling Sec. 5, 4th Revised Sheet No. 19
Sec. 5, 4th, Revised Sheet No. 20; Canceling Sec. 5, 3rd Revised Sheet No. 20
Sec. 5, 4th, Revised Sheet No. 21; Canceling Sec. 5, 3rd Revised Sheet No. 21
Sec. 5, 6th, Revised Sheet No. 22; Canceling Sec. 5, 5th Revised Sheet No. 22
Sec. 5, 6th, Revised Sheet No. 23; Canceling Sec. 5, 5th Revised Sheet No. 23
Sec. 5, 3rd, Revised Sheet No. 23a; Canceling Sec. 5, 2nd Revised Sheet No. 23a
Sec. 5, 6th, Revised Sheet No. 24; Canceling Sec. 5, 5th Revised Sheet No. 24
Sec. 5, 6th, Revised Sheet No. 25; Canceling Sec. 5, 5th Revised Sheet No. 25
Sec. 5, 7th, Revised Sheet No. 26; Canceling Sec. 5, 6th Revised Sheet No. 26
Sec. 5, 6th, Revised Sheet No. 27; Canceling Sec. 5, 5th Revised Sheet No. 27
Sec. 5, 6th, Revised Sheet No. 28; Canceling Sec. 5, 5th Revised Sheet No. 28
Sec. 5, 6th, Revised Sheet No. 29; Canceling Sec. 5, 5th Revised Sheet No. 29
Sec. 5, 4th, Revised Sheet No. 30; Canceling Sec. 5, 3rd Revised Sheet No. 30
Sec. 5, 4th, Revised Sheet No. 31; Canceling Sec. 5, 3rd Revised Sheet No. 31
Sec. 5, 2nd, Revised Sheet No. 32; Canceling Sec. 5, 1st Revised Sheet No. 32
Sec. 5, 2nd, Revised Sheet No. 33; Canceling Sec. 5, 1st Revised Sheet No. 33
Sec. 5, 2nd, Revised Sheet No. 34; Canceling Sec. 5, 1st Revised Sheet No. 34
Sec. 5, 2nd, Revised Sheet No. 35; Canceling Sec. 5, 1st Revised Sheet No. 35
Sec. 5, 3rd, Revised Sheet No. 36; Canceling Sec. 5, 2nd Revised Sheet No. 36
Sec. 5, 3rd, Revised Sheet No. 37; Canceling Sec. 5, 2nd Revised Sheet No. 37
Sec. 5, 3rd, Revised Sheet No. 38; Canceling Sec. 5, 2nd Revised Sheet No. 38
Sec. 5, 3rd, Revised Sheet No. 39; Canceling Sec. 5, 2nd Revised Sheet No. 39
Sec. 5, 3rd, Revised Sheet No. 40; Canceling Sec. 5, 2nd Revised Sheet No. 40
Sec. 5, 2nd, Revised Sheet No. 41; Canceling Sec. 5, 1st Revised Sheet No. 41

4. Any proper person or entity wishing to intervene shall file an application to intervene no later than October 20, 2010, with:

Steven C. Reed, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102-0360

5. An early prehearing conference shall be held on November 1, 2010 at 10:00 a.m. The early prehearing conference will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri.

6. Staff, the Office of the Public Counsel, and any persons or entities requesting intervention shall file, on or before November 8, 2010, a pleading indicating its recommendations for the proper test year.

7. Staff, the Office of the Public Counsel and any intervenors shall file, on or before November 8, 2010, a pleading offering a recommendation concerning updating for known and measureable changes and for a true-up.

8. The parties shall file a proposed procedural schedule on or before November 8, 2010. Staff shall have the primary responsibility for preparing and filing the proposed procedural schedule.

9. The parties shall file recommendations as to the times, dates and locations for local public hearings regarding the proposed rate increase on or before November 8, 2010.

10. An evidentiary hearing is scheduled for March 7 through 11, 2011 and March 14th through 18, 2011 beginning each day at 8:30 a.m. March 30 through 31, 2011, are reserved for a true-up hearing, if such a hearing is ordered. The evidentiary hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri.

11. The Empire District Electric Company shall notify each affected customer of the scheduled hearings. The form and time of the notice shall be agreed upon by the parties and shall be filed for the Commission's approval no later than November 8, 2010.

12. The Commission's Data Center shall serve a copy of this order upon the county commission of each county within The Empire District Electric Company's service area.

13. The Commission's Public Information Office shall make notice of this order available to the members of the General Assembly representing The Empire District Electric Company's service area and to the news media serving Empire's service area.

14. All hearings in this case will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person requiring additional accommodations to participate in any hearing shall call the Missouri Public Service Commission's Hotline at 800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

15. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Harold Stearley, Senior Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 4th day of October, 2010.