

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

Tammie Lynn Powell,)	
)	
Complainant,)	
)	
v.)	Case No. EC-2009-0449
)	
The Empire District Electric Company,)	
)	
Respondent.)	

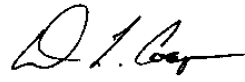
EMPIRE’S MOTION TO PRESENT TESTIMONY BY TELEPHONE

COMES NOW The Empire District Electric Company (“Empire” or “Respondent”), and, as its Motion to Present Testimony by Telephone, states as follows to the Missouri Public Service Commission (“Commission”):

1. On November 4, 2009, the Commission issued its Notice and Order Regarding Hearing wherein, among other things, it stated that the Commission would consider motions to present testimony at the evidentiary hearing by telephone filed no later than December 1, 2009.
2. Accordingly, Empire hereby moves the Commission for permission to present testimony by telephone if an evidentiary hearing is required in this matter. Depending upon the nature of the Complainant’s testimony, Empire may need to present multiple witnesses. Those witnesses would be located in Joplin, Missouri, approximately 200 miles from Jefferson City. In order to minimize the time these persons would be away from their jobs, Empire would like the opportunity to present testimony by telephone.

WHEREFORE, Empire respectfully requests that the Commission issue its order granting Empire permission to present testimony by telephone.

Respectfully submitted,



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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 sent by electronic mail or by U.S. Mail, postage prepaid, on December 1, 2009, to the following:

Office of the General Counsel
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