

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

In the Matter of the Application of The Empire	)	
District Electric Company for an Accounting	)	<b><u>File No. EO-2009-0233</u></b>
Order Concerning Reclassification of Certain	)	
Transmission and Distribution Facilities	)	

**ORDER SUSPENDING PROCEDURAL SCHEDULE  
AND DIRECTING FILING**

Issue Date May 13, 2009

Effective Date: May 13, 2009

The Empire District Electric Company filed an application as described in the above caption. The Staff of the Commission then filed a pleading recommending that the Commission conditionally grant the requested relief. Empire objected to the condition and a procedural schedule was set.

According to the procedural schedule, rebuttal testimony is to be filed today, May 13, 2009. Further testimony and other pleadings are also to be filed, with an evidentiary hearing scheduled for June 25, 2009.

On May 12, Staff modified its recommendation, removing its proposed condition. Staff now recommends that the Commission grant Empire the relief it seeks. In light of Staff's recommendation, an evidentiary hearing appears unnecessary. The Commission will therefore suspend the procedural schedule and allow parties an opportunity to adversely respond to Staff's recommendation.

**THE COMMISSION ORDERS THAT:**

1. The procedural schedule is suspended.

2. Any party wishing to file an adverse response to the Staff of the Commission's recommendation may do so no later than May 22, 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 )

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

Dated at Jefferson City, Missouri,  
on this 13th day of May, 2009.