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August 21, 2001

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Director, Utility Services
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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

FILED

AUG 21 2001

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No. EO-2001-491-In the Matter of the Application of The Empire District Electric Company and White River Valley Electric Cooperative for Approval of a Written Territorial Agreement Designating the Boundaries of Each Electric Service Supplier Within the White Oaks Subdivision of the City of Branson, Taney County, Missouri.
Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF RECOMMENDATION**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

David A. Meyer
Associate General Counsel
(573) 751- 8706
dmeyer@mail.state.mo.us

Enclosure

cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

AUG 21 2001

Missouri Public
Service Commission

In the Matter of the Application of The Empire District)
Electric Company and White River Valley Electric)
Cooperative for Approval of a Written Territorial)
Agreement Designating the Boundaries of Each)
Electric Service Supplier Within the White Oaks)
Subdivision of the City of Branson, Taney County,)
Missouri.)

Case No. EO-2001-491

Staff Recommendation

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") and for its
Recommendation states:

1. In the attached Memorandum, which is labeled Appendix A, the Staff
recommends that the Missouri Public Service Commission issue an Order approving the
following proposed tariff sheets, as filed on July 31, 2001, and substituted on August 13, 2001 to
become effective on August 31, 2001:

P.S.C. Mo. No. 5

Section A, 14th Revised Sheet No. 1 Cancelling 13th Revised Sheet No. 1

Section B:

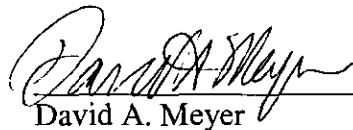
Original Sheet No. 4
Original Sheet No. 5
Original Sheet No. 6
Original Sheet No. 7
Original Sheet No. 7a

2. The Energy Department Staff has reviewed the filed tariff sheets, and is of
the opinion that they were filed in a timely manner and are in compliance with the June 27, 2001
Report and Order issued by the Commission in Case No. EO-2001-491.

WHEREFORE, the Staff recommends that the Commission issue an order approving the tariff sheets as filed by The Empire District Electric Company on July 31, 2001, Tariff File No. 200200073, and substituted on August 13, 2001, to become effective on August 31, 2001.

Respectfully submitted,

DANA K. JOYCE
General Counsel



David A. Meyer
Associate General Counsel
Missouri Bar No. 46620

Attorney for the Staff of the
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 21st day of August 2001.



**Service List for
Case No. EO-2001-491
August 21, 2001 (cgo)**

**Office of the Public Counsel
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Jefferson City, MO 65102**

**Rodric A. Widger
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PO Box 4929
Springfield, MO 65808**

**Presiding Commissioner
Taney County Courthouse
PO Box 156
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**Gary W. Duffy/James C. Swearengen
Brydon, Swearengen & England, P.C.
312 Capitol Avenue, P.O. Box 456
Jefferson City, MO 65102**

**Terry Dody
City Administrator
110 W. Maddux
PO Box 1309
Branson, MO 65615**

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. EO-2001-491, File No. 200200073, The Empire District Electric Co.

FROM: Mack McDuffey, Rate & Tariff Examiner II *mm*
Tom Imhoff, Rate and Tariff Examination Supervisor *TI*
Warren Wood, reassigned Project Coordinator *WW*

Warren Wood 8-21-01
Project Coordinator/Date

Steven Dotson 8/21/01
General Counsel's Office/Date

SUBJECT: Staff Recommendation For **Approval** of Tariff Sheets Filed To Comply With The
Commission's REPORT AND ORDER Issued June 27, 2001

DATE: August 20, 2001

On July 31, 2001, The Empire District Electric Company (EDE) filed with the Commission six (6) tariff sheets with a proposed effective date of August 31, 2001 to reflect the changes to its Missouri service area as a result of its Territorial Agreement with White River Valley Electric Cooperative, Inc., approved by the Commission in its REPORT AND ORDER (Order) issued June 27, 2001, effective July 7, 2001. On August 13, 2001, EDE filed a substitute tariff sheet to correct the table of contents listing for the rate tariff as requested by the Missouri Public Service Commission Energy Department Staff (Staff).

In its Order the Commission directed that EDE file revised tariff sheets in compliance with the Territorial Agreement approved in Ordered Paragraph 1. Such filing was to be made by no later than August 6, 2001.

The Staff has reviewed the filed tariff sheets and is of the opinion that they were filed in a timely manner and are in compliance with the Commission's Order and the Unanimous Stipulation and Agreement. Staff is not aware of any other matter before the Commission that affects or is affected by this filing. Staff therefore recommends that the Commission issue an order approving the following proposed tariff sheets, as filed on July 31, 2001, and substituted on August 13, 2001, to become effective on August 31, 2001:

P.S.C. Mo. No. 5

Section A, 14th Revised Sheet No. 1 Cancelling 13th Revised Sheet No. 1

Section B:

- Original Sheet No. 4
- Original Sheet No. 5
- Original Sheet No. 6
- Original Sheet No. 7
- Original Sheet No. 7a