

**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 RESPONSE TO ORDER REGARDING HEARING

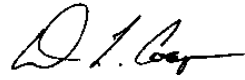
COMES NOW The Empire District Electric Company (“Empire” or “Respondent”), by and through its counsel, and, in response to the Missouri Public Service Commission’s (“Commission”) Order Regarding Hearing, states as follows:

1. On October 27, 2009, the Commission issued its Order Directing Hearing wherein it directed the parties to “show cause why the Commission should not set the complaint for hearing.”
2. Empire has no objection to this matter being set for hearing. However, Empire would like to explore an idea for satisfaction/settlement of this matter that its personnel discussed internally after the prehearing and have the opportunity to present this idea to the Complainant prior to hearing. Accordingly, Empire would ask that in setting this matter for hearing, the Commission provide at least sixty days before the hearing date (thirty days to complete exploration of possible satisfaction/settlement and an additional thirty days to prepare for hearing, if settlement/satisfaction is not possible).

WHEREFORE, Empire respectfully requests that the Commission consider the above

Response to Order Regarding Hearing and, thereafter, issue such orders as it shall find to be reasonable and just.

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 October 30, 2009, to the following:

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