

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

In the Matter of the tariff filing of The                    )  
Empire District Electric Company                        )  
to implement a general rate increase for                )     Case No. ER-2006-0315  
retail electric service provided to customers        )  
in its Missouri service area.                            )

**EMPIRE’S APPLICATION FOR REHEARING  
WITH REGARD TO THE COMMISSION’S ORDER  
SUPPLEMENTING AND CLARIFYING REPORT AND ORDER**

COMES NOW The Empire District Electric Company (“Empire” or the “Company”), by and through its undersigned counsel, pursuant to RSMo. §386.500, 4 CSR 240-2.080, and 4 CSR 240-2.160, and for its application for rehearing respectfully states as follows to the Public Service Commission of the State of Missouri (the “Commission”):

1.     On December 21, 2006, the Commission issued its Report and Order (the “*Order*”) in the above-captioned case to be effective December 31, 2006. Empire filed its Application for Rehearing with regard to the *Order* on December 29, 2006. The Commission’s agenda for January 18, 2007, indicates that said Application for Rehearing will be considered by the Commission on that date.

2.     On January 9, 2007, the Commission issued its Order Supplementing and Clarifying Report and Order (the “*Clarification Order*”) in the above-captioned case to be effective January 19, 2007.

3.     Due to the issuance of the *Clarification Order*, and in an effort to ensure that its rights are preserved, Empire files this Application for Rehearing with regard to the *Clarification Order* and incorporates by reference the allegations and arguments contained in Empire’s Application for Rehearing filed with the Commission on December 29, 2006. Further, Empire urges the Commission to delay ruling on the applications for rehearing filed with regard to the *Order* until or after the effective date of the *Clarification Order*, so that the Commission may

take up and resolve all issues at one time and issue one order with regard to all applications for rehearing.

4. As other parties requested rehearing of the *Order* and may ultimately seek judicial review of the *Order* and/or the *Clarification Order*, and in the exercise of its fiduciary duties, Empire files this Application for Rehearing regarding the *Clarification Order* on the basis that the Commission's decisions concerning various issues, all as described in Empire's original Application for Rehearing incorporated herein by reference as though set forth herein verbatim, are unlawful, unjust and unreasonable and should therefore be reheard and reconsidered and/or clarified.

**WHEREFORE,** The Empire District Electric Company respectfully requests that the Missouri Public Service Commission grant rehearing with respect to its *Report and Order*, as amended or supplemented by its *Order Supplementing and Clarifying Report and Order*, for the purpose of rehearing and reconsidering the issues raised herein and in Empire's Application for Rehearing filed on December 29, 2006 and incorporated herein by reference, and, upon rehearing, issue a new order consistent with this pleading.

Respectfully submitted,

/s/ Diana C. Carter

**BRYDON, SWEARENGEN & ENGLAND, P.C.**

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ATTORNEYS FOR THE EMPIRE DISTRICT  
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**Certificate of Service**

I hereby certify that the foregoing has been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record on the 17<sup>th</sup> day of January, 2007.

/s/ Diana C. Carter