

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

In the Matter of a Determination of Special)
Contemporary Resource Planning Issues to be)
Addressed by The Empire District Electric) File No. EO-2012-0040
Company in its Next Triennial Compliance Filing)
or Next Annual Update Report)

Empire’s Motion to Strike

COMES NOW The Empire District Electric Company (“Empire” or “Company”), by and through the undersigned counsel, and hereby requests an order of the Missouri Public Service Commission (“Commission”) striking the pleading filed herein by the Missouri Department of Natural Resources (“MDNR”) on September 30, 2011. In support of this request, Empire respectfully states as follows:

1. This file was opened to facilitate the process established by Rule 4 CSR 240-22.080(4) regarding “evolving electric resource planning issues,” also known as “special contemporary issues.”

2. Pursuant to Rule 22.080(4)(A), the Staff of the Commission (“Staff”), the Public Counsel, “and parties to the last triennial compliance filing of each utility” were allowed to file suggested special contemporary issues for each utility to consider on or before September 15, 2011. On September 14, 2011, Staff filed its suggested special contemporary issues list containing five proposed items, and, on September 15, 2011, MDNR filed its suggested list containing one Empire-specific item and seven general issues. No other person or entity made a timely filing herein with suggested special contemporary issues for Empire to consider.

3. Pursuant to Rule 22.080(4)(B), by not later than October 1, 2011, the utilities, Staff, the Public Counsel, and “parties to the last triennial compliance filings” were allowed to file comments regarding the special contemporary issues filed on or before September 15, 2011.

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail on this 12th day of October, 2011, to all counsel of record.

/s/ Diana C. Carter