

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

In the Matter of The Empire District)	
Electric Company of Joplin, Missouri)	
for Authority to File Tariffs Increasing)	Case No. ER-2010-0130
Rates for Electric Service Provided to)	
Customers in the Missouri Service Area)	
of the Company.)	

JOINT MOTION TO DEFER START OF EVIDENTIARY HEARING

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), and on behalf of all parties to this Case No. ER-2010-0130, respectfully submits this *Joint Motion to Defer Start of Evidentiary Hearing*, and states as follows:

1. On Wednesday, April 28, 2010, Staff filed, on behalf of all parties to Case No. ER-2010-0130, the *Jointly Proposed Order of Issues*, which indicated the preferred schedule of the issues to be heard in this matter, with the evidentiary hearing beginning on Tuesday, May 4, 2010.

2. The parties, having reached an agreement in principle as to all issues in this case - with the exception of whether the Plum Point Generating Station has become fully operational and used for service by August 15, 2010 – move that the Commission defer the start of the evidentiary hearing in this matter pending filing of a formal *Stipulation and Agreement*.

3. Evidence regarding the sole remaining issue will not be discernable until a point in the future. A dedicated evidentiary hearing for the presentation of evidence on that issue has been reserved for August 20, 2010.

WHEREFORE, the Staff, on behalf of all parties to Case No. ER-2010-0130, respectfully submits this *Joint Motion to Defer Start of Evidentiary Hearing*, and moves the Commission

defer the start of the evidentiary hearing scheduled in this matter pending the filing of a *Stipulation and Agreement*.

Respectfully submitted,

/s/ Sarah Kliethermes_____

Sarah Kliethermes
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record this 30th day of April, 2010.

/s/ Sarah L. Kliethermes