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November 15, 2002

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

**FILED<sup>3</sup>**  
NOV 15 2002

**Re: The Empire District Electric Company**  
**Case No. ER-2002-424**

**Missouri Public  
Service Commission**

Dear Mr. Roberts:

Pursuant to the Report and Order issued by the Missouri Public Service Commission ("Commission") in the referenced case on November 14, 2002, I am delivering herewith for filing with the Commission on behalf of The Empire District Electric Company ("Empire") three (3) copies of the following tariff sheets:

P.S.C. Mo. No. 5, Section A 16<sup>th</sup> Revised Sheet No. 1, Cancelling 15<sup>th</sup> Revised Sheet No. 1  
P.S.C. Mo. No. 5, Section 1 11<sup>th</sup> Revised Sheet No. 1, Cancelling 10<sup>th</sup> Revised Sheet No. 1  
P.S.C. Mo. No. 5, Section 2 10<sup>th</sup> Revised Sheet No. 1, Cancelling 9<sup>th</sup> Revised Sheet No. 1  
P.S.C. Mo. No. 5, Section 2 10<sup>th</sup> Revised Sheet No. 2, Cancelling 9<sup>th</sup> Revised Sheet No. 2  
P.S.C. Mo. No. 5, Section 2 10<sup>th</sup> Revised Sheet No. 3, Cancelling 9<sup>th</sup> Revised Sheet No. 2  
P.S.C. Mo. No. 5, Section 2 11<sup>th</sup> Revised Sheet No. 4, Cancelling 10<sup>th</sup> Revised Sheet No. 4  
P.S.C. Mo. No. 5, Section 2 10<sup>th</sup> Revised Sheet No. 5, Cancelling 9<sup>th</sup> Revised Sheet No. 5  
P.S.C. Mo. No. 5, Section 2 10<sup>th</sup> Revised Sheet No. 6, Cancelling 9<sup>th</sup> Revised Sheet No. 6  
P.S.C. Mo. No. 5, Section 2 10<sup>th</sup> Revised Sheet No. 7, Cancelling 9<sup>th</sup> Revised Sheet No. 7  
P.S.C. Mo. No. 5, Section 2 6<sup>th</sup> Revised Sheet No. 9, Cancelling 5<sup>th</sup> Revised Sheet No. 9  
P.S.C. Mo. No. 5, Section 2 5<sup>th</sup> Revised Sheet No. 13, Cancelling 4<sup>th</sup> Revised Sheet No. 13  
P.S.C. Mo. No. 5, Section 3 11<sup>th</sup> Revised Sheet No. 1, Cancelling 10<sup>th</sup> Revised Sheet No. 1  
P.S.C. Mo. No. 5, Section 3 15<sup>th</sup> Revised Sheet No. 2, Cancelling 14<sup>th</sup> Revised Sheet No. 2  
P.S.C. Mo. No. 5, Section 3 10<sup>th</sup> Revised Sheet No. 3, Cancelling 9<sup>th</sup> Revised Sheet No. 3  
P.S.C. Mo. No. 5, Section 3 10<sup>th</sup> Revised Sheet No. 4, Cancelling 9<sup>th</sup> Revised Sheet No. 4  
P.S.C. Mo. No. 5, Section 3 2<sup>nd</sup> Revised Sheet No. 5, Cancelling 1<sup>st</sup> Revised Sheet No. 5  
P.S.C. Mo. No. 5, Section 4 8<sup>th</sup> Revised Sheet No. 2, Cancelling 7<sup>th</sup> Revised Sheet No. 2

P.S.C. Mo. No. 5, Section 4 1<sup>st</sup> Revised Sheet No. 21, Cancelling Original Sheet No. 21

These tariff sheets are identical in all respects to the tariff sheets which were Exhibit A to the Unanimous Stipulation and Agreement executed by the parties to this case and approved by the Commission by its November 14, 2002, Report and Order with the exception of the issuance and effective dates.

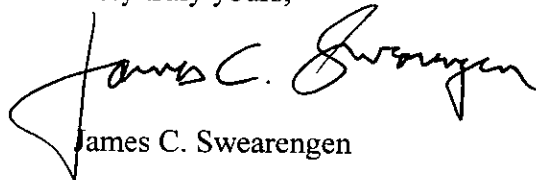
The tariff sheets being filed herewith all bear a date of issue of November 15, 2002, and an effective date of December 15, 2002. However, given the fact the aforementioned Unanimous Stipulation and Agreement approved by the Commission provides that the tariff sheets may become effective December 1, 2002, I am also enclosing herewith for filing with the Commission an original and eight (8) copies of a Motion For Expedited Treatment And For Approval Of Tariff Filing On Less Than Thirty Days Notice.

A copy of the subject tariff sheets and motion will be provided to all parties of record.

Would you please see that this filing is brought to the attention of the appropriate Commission personnel.

Thank you very much for your cooperation in this matter.

Very truly yours,



James C. Swearingen

JCS/lar

Enclosures

cc: All Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>

NOV 15 2002

Missouri Public  
Service Commission

In the Matter of The Empire District Electric )  
Company of Joplin, Missouri, for authority to )  
file tariffs increasing rates for electric service )  
provided to customers in the Missouri service )  
area of the Company. )

Case No. ER-2002-424

**MOTION FOR EXPEDITED TREATMENT AND FOR**  
**APPROVAL OF TARIFF FILING ON LESS THAN**  
**THIRTY DAYS NOTICE**

Comes now The Empire District Electric Company ("Empire") pursuant to 4 CSR 240-2.065 and 4 CSR 240-2.080(16) and in support of its Motion For Expedited Treatment And For Approval Of Tariff Filing On Less Than Thirty Days Notice ("Motion") respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. On November 14, 2002, the Commission issued its Report and Order in the captioned-matter in which it approved, among other things, the Unanimous Stipulation and Agreement which had been executed by the parties to this case. By said Report and Order, the Commission directed Empire to file tariffs in compliance with the Unanimous Stipulation and Agreement.

2. Contemporaneously with the filing of this Motion, Empire has filed compliance tariffs with the Commission. The tariff sheets bear an issuance date of November 15, 2002 and an effective date of December 15, 2002.

3. The Unanimous Stipulation and Agreement approved by the Commission provides in part that the Commission should authorize Empire to file tariff sheets in

conformance with the Unanimous Stipulation and Agreement, said tariff sheets to become effective December 1, 2002. This provision is contained in the Unanimous Stipulation and Agreement because the parties recognized that from Empire's standpoint the December 1, 2002, effective date was a key inducement to enter into the Unanimous Stipulation and Agreement.

4. As indicated, the Commission, by its Report and Order, approved said Unanimous Stipulation and Agreement and directed Empire to file as soon as practicable proposed tariff sheets in compliance with the agreement. Said Report and Order further provided that the proposed tariff sheets could have a thirty day effective date and be accompanied by a motion requesting expedited treatment. By this Motion, Empire is complying with that directive and respectfully requests that the Commission issue its order approving the tariffs filed by Empire this date for service rendered on and after December 1, 2002.

5. Empire submits that there is good cause for granting its request and that the subject tariffs should be permitted to go into effect on December 1, 2002. As indicated, such an effective date is consistent with the terms of the Unanimous Stipulation and Agreement approved by the Commission in this case in which the parties recommended that the tariffs be implemented effective for service rendered on and after December 1, 2002. Second, from Empire's standpoint, implementation of the tariffs by December 1, 2002 was a key inducement to enter into the Unanimous Stipulation and Agreement. Third, pursuant to §393.140(11), RSMo the Commission may by order, allow a change in rates on less than thirty days notice in any event. In

the case at bar, the Unanimous Stipulation and Agreement, approved by the Commission, specifically provided in paragraph 5 that the Commission by its order approving the agreement, should allow Empire to file tariff sheets to become effective less than thirty (30) days from the filing date.

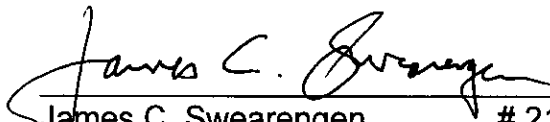
6. Empire has filed the subject tariff sheets and this Motion with the Commission as soon as possible after the issuance of the Commission's Report and Order in this docket approving the Unanimous Stipulation and Agreement. Since the subject tariff sheets will implement the terms of the Stipulation and Agreement, which the Commission has determined to be just and reasonable, there can be no harm to Empire's customers if said tariffs are implemented in accordance with the effective date recommended by the parties.

WHEREFORE, for the foregoing reasons, Empire respectfully moves the Commission to give expedited treatment to Empire's tariff filing and to this Motion and to issue its order approving the subject tariffs on less than thirty (30) days notice and authorizing said tariffs to become effective for service rendered on and after December 1, 2002, good cause having been shown.

Respectfully Submitted,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

  
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ATTORNEYS FOR THE EMPIRE DISTRICT ELECTRIC COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered, on this 15<sup>th</sup> day of November, 2002, to all parties of record.

