

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 17th day  
of July, 2012.

In the Matter of The Empire District Electric )  
Company of Joplin, Missouri Tariffs )  
Increasing Rates for Electric Service )  
Provided to Customers in the Missouri Service )  
Area of the Company )

**File No. ER-2012-0345**  
**Tariff No. YE-2013-0020**

**ORDER SUSPENDING TARIFF AND DELEGATING AUTHORITY**

Issue Date: July 17, 2012

Effective Date: July 17, 2012

On July 6, 2012, The Empire District Electric Company (“Empire”) submitted a tariff designed to implement a general rate increase for utility service. Empire indicates the new utility service rates are designed to increase its gross annual revenues by approximately \$30,717,288, exclusive of applicable gross receipts, sales, franchise or occupational fees or taxes. The submitted tariff carries an effective date of August 5, 2012.

***The Commission's Authority to Suspend Proposed Tariffs***

Section 393.150, RSMo 2000, authorizes the Commission to suspend the effective date of a proposed tariff for 120 days, plus an additional six months to allow for a hearing on the matter. So that it will have sufficient time to study the effect of Empire’s general rate increase tariff and to determine if it is just, reasonable, and in the public interest, the Commission will suspend that tariff for a period of 120 days beyond the requested effective date. Furthermore, because a hearing on the tariff cannot be concluded within 120 days, the tariff will be suspended for an additional six months.

## ***The Commission's Authority to Delegate Authority***

Section 386.240, RSMo, 2000, provides:

The commission may authorize any person employed by it to do or perform any act, matter or thing which the commission is authorized by this chapter to do or perform; provided, that no order, rule or regulation of any person employed by the commission shall be binding on any public utility or any person unless expressly authorized or approved by the commission.

The Commission will soon issue a discovery order in this case. To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the Regulatory Law Judge to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery.

### **THE COMMISSION ORDERS THAT:**

1. The tariff submitted under Tariff File No. YE-2013-0020, on July 6, 2012, by The Empire District Electric Company, for the purpose of increasing rates for utility service, is suspended for 120 days, from August 5, 2012 to December 3, 2012.
2. The tariff suspended for 120 days in ordered paragraph 1 is suspended an additional six months beyond December 3, 2012, to June 3, 2013.
3. The specific tariff sheets suspended are:

### **P.S.C. MO. No. 5**

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Sec. A, 27<sup>th</sup> Revised Sheet No. 1; Canceling Sec. A, 26<sup>th</sup> Revised Sheet No. 1

Sec. B, 1<sup>st</sup> Revised Sheet No. 17; Canceling Sec. B, Original Sheet No. 17

Sec. B, 1<sup>st</sup> Revised Sheet No. 18; Canceling Sec. B, Original Sheet No. 18

Sec. B, 2<sup>nd</sup> Revised Sheet No. 19; Canceling Sec. B, 1<sup>st</sup> Revised Sheet No. 19

Sec. 1, 17<sup>th</sup> Revised Sheet No. 1; Canceling Sec. 1, 16<sup>th</sup> Revised Sheet No. 1

Sec. 2, 16<sup>th</sup> Revised Sheet No. 1; Canceling Sec. 2, 15<sup>th</sup> Revised Sheet No. 1

Sec. 2, 16<sup>th</sup> Revised Sheet No. 2; Canceling Sec. 2, 15<sup>th</sup> Revised Sheet No. 2

Sec. 2, 16<sup>th</sup> Revised Sheet No. 3; Canceling Sec. 2, 15<sup>th</sup> Revised Sheet No. 3

Sec. 2, 17<sup>th</sup> Revised Sheet No. 4; Canceling Sec. 2, 16<sup>th</sup> Revised Sheet No. 4

Sec. 2, 16<sup>th</sup> Revised Sheet No. 6; Canceling Sec. 2, 15<sup>th</sup> Revised Sheet No. 6  
Sec. 2, 16<sup>th</sup> Revised Sheet No. 7; Canceling Sec. 2, 15<sup>th</sup> Revised Sheet No. 7  
Sec. 2, 12<sup>th</sup> Revised Sheet No. 9; Canceling Sec. 2, 11<sup>th</sup> Revised Sheet No. 9  
Sec. 2, 9<sup>th</sup> Revised Sheet No. 9b; Canceling Sec. 2, 8<sup>th</sup> Revised Sheet No. 9b

Sec. 3, 17<sup>th</sup> Revised Sheet No. 1; Canceling Sec. 3, 16<sup>th</sup> Revised Sheet No. 1  
Sec. 3, 21<sup>st</sup> Revised Sheet No. 2; Canceling Sec. 3, 20<sup>th</sup> Revised Sheet No. 2  
Sec. 3, 16<sup>th</sup> Revised Sheet No. 3; Canceling Sec. 3, 15<sup>th</sup> Revised Sheet No. 3  
Sec. 3, 16<sup>th</sup> Revised Sheet No. 4; Canceling Sec. 3, 15<sup>th</sup> Revised Sheet No. 4  
Sec. 3, 5<sup>th</sup> Revised Sheet No. 5; Canceling Sec. 3, 4<sup>th</sup> Revised Sheet No. 5

Sec. 4, 1<sup>st</sup> Revised Sheet No. 17h; Canceling Sec. 4, Original Sheet No. 17h  
Sec. 4, 1<sup>st</sup> Revised Sheet No. 17i; Canceling Sec. 4, Original Sheet No. 17i  
Sec. 4, 1<sup>st</sup> Revised Sheet No. 17j; Canceling Sec. 4, Original Sheet No. 17j  
Sec. 4, 3<sup>rd</sup> Revised Sheet No. 17k; Canceling Sec. 4, 2<sup>nd</sup> Revised Sheet No. 17k  
Sec. 4, Original Sheet No. 22  
Sec. 4, Original Sheet No. 22a  
Sec. 4, Original Sheet No. 22b

4. The Presiding Officer has full authority and shall rule on any discovery disputes during all discovery conferences.

5. The Presiding Officer has full authority to rule on any pending motion to compel discovery.

6. The Presiding Officer shall rule upon any final motions to compel, filed pursuant to the discovery schedule.

7. This order shall become effective upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Gunn, Chm., Jarrett, Kenney,  
and Stoll, CC., concur.

Bushmann, Regulatory Law Judge