

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

In the Matter of the Tariff Filing of Aquila, Inc.)	
To Implement a General Rate Increase for)	Case No. ER-2005-0436
Retail Electric Service Provided to Customers)	
In its MPS and L&P Missouri Service Areas.)	

In the Matter of the Tariff Filing of Aquila, Inc.)	
To Implement a General Rate Increase for)	Case No. HR-2005-0450
Retail Steam Heat Service Provided to Customers)	
In its L&P Missouri Service Area.)	

**NOTICE OF THE EMPIRE DISTRICT ELECTRIC COMPANY
REGARDING STATEMENT OF POSITION**

COMES NOW The Empire District Electric Company (“Empire”), through the undersigned counsel, and for its Notice Regarding Statement of Position respectfully states as follows:

1. At this time it does not appear that the issue(s) of primary importance to Empire and which led to its intervention herein will be contested issue(s) requiring determination by the Commission. Furthermore, Empire is not presenting any witnesses in these cases. Therefore, Empire will not be filing a Statement of Position herein.
2. Empire does not object to the proposed order of witnesses and order of cross-examination being filed herein by Staff.
3. At this time, Empire reserves its rights to participate in settlement discussions, if any, and to cross-examine witnesses, present argument and file briefs in these matters as it deems necessary.

Respectfully submitted,

/s/ **Jeffrey A. Keevil**

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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing was sent to counsel for parties of record by depositing same in the U.S. Mail first class postage paid, by hand-delivery, or by electronic transmission, this 23rd day of December, 2005.

/s/ **Jeffrey A. Keevil**
