

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

In the matter of Request of The)	
Empire District Electric Company of)	
Joplin, Missouri for a Small Company)	<u>File No. WR-2012-0300</u>
Water Rate Increase)	

**NOTICE OF UNANIMOUS AGREEMENT REGARDING
DISPOSITION OF SMALL COMPANY RATE INCREASE REQUEST**

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission") and for this *Notice of Unanimous Agreement Regarding Disposition of Small Company Rate Increase Request* ("Agreement Notice") states as follows:

1. On May 21, 2012, The Empire District Electric Company ("Empire") filed a Request for Increase in Annual Water System Operating Revenues requesting the Commission to approve an increase of \$516,401 in its annual water operating revenues, representing an increase of approximately 29.55%, pursuant to Commission Rule 4 CSR 240-3.050 ("Small Utility Rate Case Procedure").

2. Upon completion of Staff's investigation of Empire's request, Staff provided Empire and the Office of the Public Counsel ("Public Counsel") with materials related to Staff's investigation, as well as its initial recommendations for the resolution of the revenue increase request.

3. Pursuant to negotiations, Staff, Public Counsel, and the Company were able to reach a *Unanimous Disposition Agreement* ("Disposition Agreement"), attached and incorporated herein by reference as Appendix A, providing for an overall agreed-upon operating revenue increase of \$450,000. Appendix A, among other things, prescribes a schedule of depreciation rates and reflects Empire's agreement to

implement described Staff recommendations. It also includes various attachments related to the *Disposition Agreement*, and affidavits from Staff members who participated in the investigation of Empire's request for a rate increase.

4. Pursuant to the *Disposition Agreement*, Empire will file tariff sheets to implement the terms of the *Disposition Agreement*, bearing an effective date of December 7, 2012. As required by Rule 4 CSR 240-3.050(14) of the Small Utility Rate Case Procedure, the effective date of those tariff sheets that Empire will file will not be fewer than forty-five days from the date they will be filed. Empire is current on its payment of Commission assessments and on its filings of annual reports and statements of revenue. Empire has a number of pending cases before the Commission concerning its operation as an electrical corporation, including Case Nos. ER-2012-0345 and EO-2012-0269, however Empire has no other cases pending before the Commission concerning its water operations as a water corporation at this time.

WHEREFORE, Staff respectfully submits this *Agreement Notice* and the attached *Disposition Agreement* for the Commission's information and consideration in this case, and requests that the Commission enter an *Order* adopting the terms agreed upon by the parties and any other relief it deems appropriate.

Respectfully submitted,

/s/ 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 electronically mailed to all counsel of record this 18th day of October, 2012.

/s/ Sarah Kliethermes