

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

In the Matter of the tariff filing of The)	
Empire District Electric Company)	
to implement a general rate increase for)	Case No. ER-2006-0315
retail electric service provided to customers)	
in its Missouri service area)	

EMPIRE'S RESPONSE TO MOTION FOR ORAL ARGUMENT

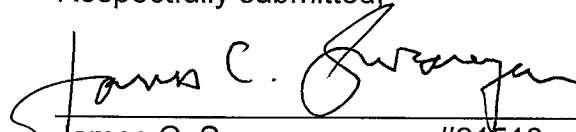
Comes now The Empire District Electric Company ("Empire" or "Company"), by counsel, and in response to the Motion for Oral Argument submitted by Praxair, Inc. ("Praxair") and Explorer Pipeline, Inc. ("Explorer") respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. If Praxair and Explorer are suggesting that they have a right to present oral argument they are wrong. Section 536.080, RSMo is clear that each party is only entitled to present either oral arguments or written briefs. The Company also questions the need for oral argument given the amount of hearing time already expended and the fact that briefs have been filed. That being said, Empire has no objection to the request. In fact, Empire would welcome the additional opportunity to again point out the inconsistencies and flaws in the arguments of Praxair and Explorer with respect to the fuel cost recovery method issue and to address other issues in this case.

2. The timing of any oral argument, however, is problematic. That is because Empire now anticipates that a Nonunanimous Stipulation and Agreement concerning certain amortization issues will be filed with the Commission in the near future. Under Commission rules, any party that is a nonsignatory will have the opportunity to object and request a hearing. In addition, there is pending an application for rehearing by Praxair and Explorer regarding the Stipulation and Agreement as to

Certain Issues which was filed on August 18, 2006. Furthermore, the question of if and when a true-up hearing will occur, is outstanding. The Commission may wish to schedule any oral argument after these matters are resolved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Swearengen", is written over a horizontal line.

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Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was electronically transmitted, sent by U.S. Mail, postage prepaid, or hand-delivered, on this 18th day of October, 2006, to:

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