

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

In the Matter of The Empire District Electric	)	
Company's Application to Modify its FAC	)	<b><u>File No. ER-2011-0320</u></b>
Tariff	)	Tariff No. YE-2011-0503

**ORDER DIRECTING NOTICE AND  
SETTING INTERVENTION DATE**

Issue Date: April 4, 2011

Effective Date: April 4, 2011

On April 1, 2011, The Empire District Electric Company submitted a proposed tariff sheet designed to implement an adjustment to its Fuel and Purchased Power Clause. The tariff sheet has an effective date of June 1, 2011.

As required by Commission rule 4 CSR 240-20.090(4), the Staff of the Commission shall submit a recommendation regarding the proposed adjustment no later than May 1. Because May 1 falls on a Sunday, Staff must submit its recommendation no later than Monday, May 2. No later than May 31, the Commission shall either: (1) issue an interim rate adjustment order approving the proposed tariff sheet; (2) allow the proposed tariff sheet to go into effect by operation of law; or (3) reject the tariff sheet. To this end, the Commission will issue notice, set an intervention deadline and direct Staff to file a recommendation.

Through Commission rule 4 CSR 240-3.161(10), parties in Empire's rate case, File No. ER-2010-0130, establishing the rate adjustment mechanism, are made parties in this case without having to seek intervention. The Commission therefore acknowledges their status and will direct the Commission's Data Center to add those parties to the service list.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall serve a copy of this order upon the county commission of each county within The Empire District Electric Company's service area.

2. The Commission's Data Center shall add all parties in File No. ER-2010-0130 to the service list for this case.

3. The Commission's Public Information Office shall make notice of this order available to the members of the General Assembly representing The Empire District Electric Company's service area and to the news media serving therein.

4. Applications to intervene shall be filed no later than [issue date + 15 days], with:

Steven C. Reed, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102-0360

5. The Staff of the Commission shall file, no later than May 2, 2011, a recommendation regarding its examination and analysis of The Empire District Electric Company's proposed tariff sheet.

6. This order shall become effective upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Kennard L. Jones, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 4th day of April, 2011.