

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

In the Matter of The Empire District	)	
Electric Company's Application to	)	<b><u>File No. ER-2012-0326</u></b>
Modify Its FAC Tariff	)	Tariff No. YE-2012-0557

**ORDER DIRECTING NOTICE AND DIRECTING  
STAFF TO FILE A RECOMMENDATION**

Issue Date: April 4, 2012

Effective Date: April 4, 2012

On March 30, 2012, The Empire District Electric Company submitted a tariff sheet designed to implement an adjustment to its Fuel Adjustment Clause. The tariff sheet bears an effective date of June 1, 2012.

Pursuant to Commission rule 4 CSR 240-20.090(4), the Commission's Staff shall submit a recommendation regarding the proposed adjustment no later than 30 days after the tariff filing. No later than 60 days after receiving the proposed adjustment, the Commission must: (1) enter an interim rate adjustment; (2) approve or reject the tariff as submitted; or (3) allow the tariff to go into effect by operation of law. Consequently, the Commission will issue notice of this tariff filing, set an intervention deadline, and direct its Staff to file a recommendation.

Commission rule 4 CSR 240-3.161(10) provides that parties to the rate case in which the Commission established Empire's fuel adjustment clause are automatically parties to this tariff case. The Commission therefore acknowledges that the parties to File No. ER-2011-0004 are parties to this case, and will direct the 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 in The Empire District Electric Company's service area.
2. The Commission's Data Center shall add all of the parties to File No. ER-2011-0004 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 constituents in The Empire District Electric Company's service area and to the news media serving those areas.
4. Requests to intervene shall be filed no later than April 24, 2012, with:  
  
Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102-0360
5. The Staff of the Missouri Public Service Commission shall file, no later than April 30, 2012, a recommendation regarding its examination and analysis of The Empire District Electric Company's tariff filing.
6. This order shall become effective upon issuance.

( S E A L )

**BY THE COMMISSION**



Steven C. Reed  
Secretary

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, 2012.