## LAW OFFICES

## **BRYDON, SWEARENGEN & ENGLAND**

## PROFESSIONAL CORPORATION

DAVID V.G. BRYDON, Retired JAMES C. SWEARENGEN WILLIAM R. ENGLAND, III JOHNNY K. RICHARDSON GARY W. DUFFY PAUL A. BOUDREAU CHARLES E. SMARR

DEAN L. COOPER

312 EAST CAPITOL AVENUE
P.O. BOX 456

JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7166
FACSIMILE (573) 635-0427

BRIAN T. MCCARTNEY
DIANA C. CARTER
SCOTT A. HAMBLIN
JAMIE J. COX
L. RUSSELL MITTEN
ERIN L. WISEMAN
JOHN D. BORGMEYER

COUNSEL GREGORY C. MITCHELL

May 2, 2011

Mr. Steven Reed Secretary/General Counsel Missouri Public Service Commission P. O. Box 360 Jefferson City, MO 65102

Re: The Empire District Electric Company Case No. ER-2011-0320

Dear Mr. Reed

On April 1, 2011, The Empire District Electric Company ("Empire") submitted revised Fuel Adjustment Clause ("FAC") tariff sheets pursuant to the Commission's Report and Order issued in Case's ER-2008-0093 and ER-2010-0130, effective June 1, 2011.

Since the filing of the compliance FAC tariff sheets on April 1, 2011 and after discussions with Missouri Public Service Commission Staff ("Staff"), it was determined that rather than filing two (2) revised FAC tariff sheets Empire should have filed a single revised FAC tariff sheet.

Accordingly, Empire hereby withdraws the two FAC tariff sheets (PSC Mo. No. 5, Sec. 4, sheet numbers 17c and 17g) filed on April 1, 2011 and submits a new FAC tariff sheet bearing sheet number 17g. This FAC tariff sheet bears an issue date of April 1, 2011 and an effective date of June 1, 2011. In addition, the substitute tariff sheet 17g reflects the correction of a typographical error in the formula displayed on line 1 of the sheet. The correction of the typographical error in the formula has been discussed with Staff and Staff agrees with the change. The subject revised tariff sheet is as follows:

Section	<b>Sheet</b>	Schedule	Designated	Canceling
4	17g	Schedule FAC-Fuel Adjustment Clause		

In addition to the revised FAC tariff sheet 17g, Empire is also filing the revised direct testimony of Todd W. Tarter in support of the revised filing. There is no overall change in the level of the proposed FAC charge as a result of this revision.

Please bring these filings to the attention of the Commission and the appropriate Commission personnel.

Thank you for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

L. Russell Mitten