

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

In the Matter of The Empire District	)	
Electric Company of Joplin, Missouri	)	
for Authority to File Tariffs Increasing	)	Case No. ER-2010-0130
Rates for Electric Service Provided to	)	
Customers in the Missouri Service Area	)	
of the Company.	)	

**EMPIRE’S MOTION FOR EXTENSION OF TIME  
AND REQUEST TO LATE FILE ITS STATEMENTS OF POSITION**

COMES NOW The Empire District Electric Company (“Empire” or the “Company”), and for its Motion for Extension of Time and Request to Late File its Statements of Position in this matter, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. On March 3, 2010, the Commission issued its *Order Approving Stipulation and Agreement and Approving Proposed Procedural Schedule*, directing, in relevant part, that each party to this proceeding file its Statements of Position herein by Wednesday, April 28, 2010.
2. Empire is requesting that its Statements of Position be accepted for filing by the Commission one date late, for the good cause shown herein.
3. The press of business on the part of Empire’s employees and executives (including the Empire Board of Directors’ meetings) and the press of business on the part of Empire’s legal counsel (including the attendance at hearings in other utility proceedings), prevented the timely completion and filing of Empire’s Statements of Position.
4. Neither any party to this proceeding nor the Commission will be prejudiced or inconvenienced by this slight delay.

5. This Motion is not made to delay or hinder the process, but is being made for the reasons set forth above, and the granting of the same would best serve the interests of the Commission and the parties hereto.

**WHEREFORE**, The Empire District Electric Company respectfully requests that the Commission grant this motion and allow the Company to late file its Statements of Position.

Respectfully submitted,

Brydon, Swearengen & England P.C.

By:

/s/ Diana C. Carter

James C. Swearengen #21510

L. Russell Mitten #27881

Diana C. Carter #50527

312 East Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102

Telephone: (573) 635-7166

Facsimile: (573) 634-7431

E-Mail: DCarter@brydonlaw.com

LRackers@brydonlaw.com

Attorneys for The Empire District Electric Company

**Certificate of Service**

I hereby certify that the foregoing has been sent by United States mail, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record on the 29<sup>th</sup> day of April, 2010.

/s/ Diana C. Carter