

**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 rates for water service )  
provided to customers in the Missouri )  
service area of the Company. )

Case No. WR-2006-0215

Tariff File No. YW-2006-0387

**STAFF'S MOTION FOR EXTENSIONS OF TIME TO FILE  
STAFF RECOMMENDATION AND RESPONSES THERETO**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel and, for its Motion for Extensions of Time to File Staff Recommendation and Responses Thereto, states to the Missouri Public Service Commission as follows.

1. On November 21, 2005, The Empire District Electric Company ("Company") submitted to the Commission revised tariff sheets to implement increases in its water service rates and charges, and other tariff changes, and the instant case was established. The Company's revised tariff sheets, which are based upon a Company/Staff Agreement Regarding Disposition of Small Water Company Rate Increase Request ("Disposition Agreement") entered into by the Company and the Staff, bore an issue date of November 21, 2005 and a proposed effective date of January 5, 2006.

2. On November 30, 2005, the Staff filed the above-referenced Disposition Agreement in the case file.

3. On December 1, 2005, the Commission issued its **Order Directing Filings and Adding a Party**, in which, among other things, it directed the Staff to file its recommendation for this case on or before December 28, 2005 and directed that responses to the Staff's recommendation be filed on or before December 30, 2005.

4. On December 8, 2005, the Commission issued its **Order Directing Filing**, in which, among other things, it established a deadline of December 12, 2005 for the Office of the Public Counsel ("OPC") to file a request for a local public hearing, if it chose to request such a hearing.

5. On December 12, 2005, the OPC filed its request for a local public hearing.

6. On December 23, 2005, the Commission issued its **Order Scheduling Local Public Hearing** in which, among other things, it set January 11, 2006 as the date for the local public hearing for this case, and set January 10, 2006 as the deadline for the submission of written comments to the case file in lieu of testifying at the local public hearing.

7. On December 29, 2005, the Commission issued its **Order Suspending Tariff** in which it suspended the proposed effective date of the Company's revised tariff sheets for thirty (30) days to February 4, 2006.

8. The Commission orders referenced in Paragraphs 6 and 7 above did not change the deadlines for filing the Staff's recommendation or the responses thereto. Pursuant to Rule 4 CSR 240-3.635 (1) (E), the Public Counsel's post-local public hearing position statement will be due on January 18, 2006.

9. Although the practice is not governed by rule, the Staff customarily files its recommendation in small company rate cases such as this sometime after the Public Counsel files its position statement, but not less than seven (7) working days prior to the effective date of the subject revised tariff sheets. In filing its recommendation in this case, the Staff wants to be able to take into account the testimony given at the local public hearing, and therefore requests that the Commission extend the deadline for filing the Staff recommendation. The Staff also requests that the previously established deadline for filing responses to the Staff recommendation be extended.

10. In order for this case to proceed in a timely and orderly manner subsequent to the local public hearing, the Staff recommends the following schedule of filings:

- (a) Public Counsel's position statement – January 18, 2006;
- (b) Staff's recommendation – January 24, 2006; and
- (c) Responses to Staff's recommendation – January 27, 2006.

**WHEREFORE**, the Staff respectfully requests that the Commission issue an order extending the time for the Staff to file its recommendation herein, and extending the time for filing responses to the Staff's recommendation.

Respectfully Submitted,

DANA K. JOYCE  
General Counsel

/s/ Keith R. Krueger

Keith R. Krueger  
Deputy General Counsel  
Missouri Bar No. 23857

Attorney for the Staff of the  
Missouri Public Service Commission

P.O. Box 360  
Jefferson City, MO 65102  
573-751-4140 (telephone)  
573-751-9285 (facsimile)  
[keith.krueger@psc.mo.gov](mailto:keith.krueger@psc.mo.gov) (e-mail)

### **CERTIFICATE OF SERVICE**

I hereby certify that copies of this Motion have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 30th day of December 2005.

/s/ Keith R. Krueger