

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

In the Matter of The Empire District Electric	)	
Company's Application for Certificate of Public	)	
Convenience and Necessity and Approval of	)	Case No. EO-2005-0263
an Experimental Regulatory Plan Related to	)	
Generation Plant.	)	

**MOTION FOR LEAVE TO FILE  
FIRST AMENDED APPLICATION**

COMES NOW The Empire District Electric Company (Empire) and, as its Motion for Leave to File First Amended Application, states as follows to the Missouri Public Service Commission (Commission):

1. Empire previously filed its Application in this case on February 4, 2005. Empire indicated in both its original Application and in its First Status Report filed on April 29, 2005, its intent to file an amended application to make its requests in this case more definite.

2. Attached hereto is Empire's First Amended Application. The Amended Application contains a more definite statement of the Experimental Regulatory Plan sought by Empire. The elements of the Experimental Regulatory Plan reflected in the Amended Application are all within the "general parameters" of the experimental regulatory plan described in paragraph 19 of Empire's original Application.

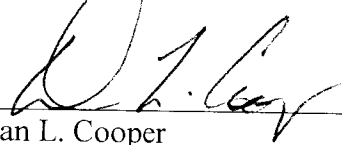
3. Commission Rule 4 CSR 240-2.080(20) states that "any pleading may be amended . . . at any time by leave of the commission."

4. Empire believes that there is good cause for the Commission to grant the requested leave in that the First Amended Application will more precisely define the elements of the experimental regulatory plan sought by Empire. On the other hand, because these elements

are within the general parameters set out in Empire's Application and have been the subject of discussions among the parties to this case, a grant of this motion should not prejudice the other parties.

WHEREFORE, Empire moves the Commission for leave to file the First Amended Application, attached hereto.

Respectfully submitted,



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ATTORNEYS FOR THE EMPIRE DISTRICT  
ELECTRIC COMPANY

## CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered, or sent by electronic mail, on June 22, 2005, to the following:

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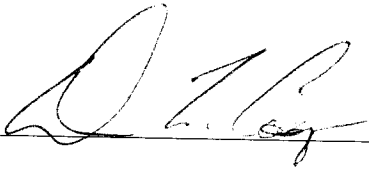
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