

**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.	)	

**SECOND PROPOSED PROCEDURAL SCHEDULE**

COMES NOW The Empire District Electric Company (Empire) and as its Second Proposed Procedural Schedule, states as follows to the Missouri Public Service Commission (Commission):

1. On May 18, 2005, the Commission issued its Order Setting Procedural Schedule wherein it approved the First Proposed Procedural Schedule and, among other things, directed Empire to file direct testimony, and the parties to file a Second Proposed Procedural Schedule, no later than June 22, 2005.

**IF STIPULATION AND AGREEMENT IS REACHED**

2. As stated in the parties' Status Report that was filed on June 15, 2005, the parties have met and conferred on numerous occasions concerning a possible stipulation and agreement. Progress has been made. However, a stipulation and agreement has not yet been reached.

3. If a stipulation and agreement is filed by July 1, 2005, it is suggested that the Commission reserve July 11-12, 2005, for an on the record presentation or hearing (if the Commission should deem either of these activities to be necessary).

4. Counsel for the Staff of the Missouri Public Service Commission, the Office of the Public Counsel, Praxair, Inc., Explorer Pipeline Company, Union Electric Company d/b/a

AmerenUE and Aquila, Inc. have stated that they have no objection to the this proposal.

**IF NO STIPULATION AND AGREEMENT IS REACHED**

5. If a stipulation and agreement is not filed by July 1, 2005, Empire proposes that the Commission establish the following alternative procedural schedule for the completion of this case:

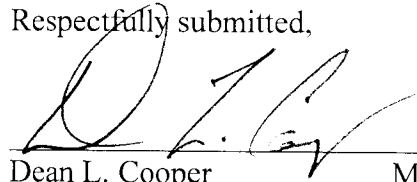
List of Issues, List and Order of Witnesses, Order of Cross-Examination	July 11, 2005
Statement of Position or Prehearing Brief	July 14, 2005
Hearing	July 21-22, 2005

6. The Stipulation and Agreement in the KCPL regulatory plan case (Case No. EO-2005-0329) identifies Empire as a “preferred potential partner in the Iatan 2 generating plant project” if Empire has a “commercially feasible financing plan for meeting its financial commitments to participate in the ownership of the Iatan 2 plant by the later of August 1, 2005, or such date that KCPL shall issue its request(s) for proposal(s) related to Iatan 2.” The alternative schedule is designed to provide the Commission the opportunity to hear this case prior to August 1, 2005.

7. The other parties to this case have not indicated support for this alternative procedural schedule, and at least one has indicated that it opposes this schedule. Accordingly, Empire would suggest that the Commission provide the parties until July 6, 2005, to respond to the alternate procedural schedule. Doing so would allow the parties to determine whether or not a stipulation and agreement can be reached and filed by July 1, 2005. If it has, the alternative procedural schedule would become a non-issue.

WHEREFORE, Empire respectfully requests that the Commission issue its order setting the above procedural schedule related to the possible consideration of a stipulation and agreement, and providing the parties until July 6, 2005, to respond to the alternative procedural schedule proposed by Empire.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. L. Cooper', is written over a horizontal line.

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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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Office of the Public Counsel  
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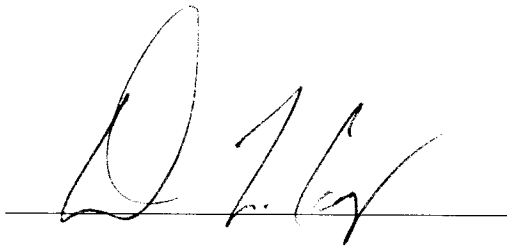
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A handwritten signature in black ink, appearing to read "J. B. Lowery", is written over a horizontal line.