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August 26, 2002

Executive Secretary  
Public Service Commission  
Governor State Office Building  
Jefferson City, MO

**FILED<sup>2</sup>**

AUG 26 2002

Missouri Public  
Service Commission

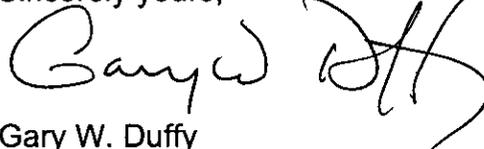
RE: Case No. ET-2002-1058

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of The Empire District Electric Company's Request for Suspension of Requirement for Response.

If you have any questions, please give me a call.

Sincerely yours,

  
Gary W. Duffy

Enclosures

cc w/encl:

John Coffman, Office of Public Counsel  
Denny Frey, Office of the General Counsel  
Mike Palmer, Empire  
Dave Gibson, Empire

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

**FILED<sup>2</sup>**  
AUG 26 2002  
Missouri Public  
Service Commission

In the Matter of The Empire District Electric )  
Company's Proposed Changes to Extension ) Case No. ET-2002-1058  
Rules and Charges to New Customers. ) Tariff File No. 200200888

**REQUEST FOR SUSPENSION OF REQUIREMENT FOR RESPONSE**

COMES NOW The Empire District Electric Company (Empire) and requests an indefinite suspension of the pending deadline for a response set in the Commission's "Second Order Granting Extension of Time to File Response."

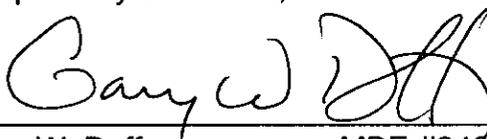
1. On August 21, 2002, the Commission issued a "Second Order Granting Extension of Time to File Response" in this case. In that order, the Commission granted Empire an extension until August 30, 2002, in which to file its response regarding the potential consolidation of this case with Case No. ER-2002-424, Empire's pending general rate case. The purpose of Empire's request for extension was to allow additional time for the parties to explore settlement of this case. The purpose of this pleading is to suggest that the topic of consolidation, and thus the need for an Empire response on the topic, will become moot if the Commission approves a recently-filed unanimous stipulation which resolves this case.

2. On August 22, 2002, the parties to this case filed a "Unanimous Stipulation and Agreement" with the Commission. In brief, the document recites that the parties have settled the case among themselves and recommend the approval by the Commission of certain tariff sheets which would modify Empire's extension rule.

The settlement document (paragraph 9) also recites that the pending motions of the Office of the Public Counsel and the Staff would be considered withdrawn on approval of the Stipulation and Agreement by the Commission. In effect then, approval of the Stipulation and Agreement would moot the request to consolidate this case with the rate case.

3. Given the conditional withdrawal of pending motions in this case in the Unanimous Stipulation and Agreement, Empire requests that the August 30, 2002, deadline for a response by Empire to the Staff's motion to consolidate be indefinitely suspended, pending Commission action on the Unanimous Stipulation and Agreement.

Respectfully submitted,



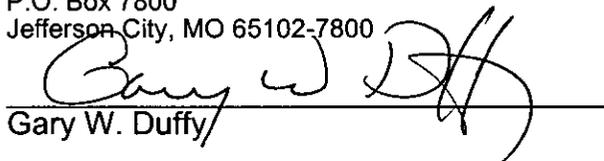
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Attorneys for The Empire District Electric Company

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was hand-delivered, on this 26<sup>th</sup> day of August, 2002, to:

Mr. Dennis L. Frey  
Missouri Public Service Commission  
Governor State Office Building  
P.O. Box 360  
Jefferson City, MO 65102-0360

Mr. John Coffman  
The Office of the Public Counsel  
6<sup>th</sup> Floor, Governor State Office Building  
P.O. Box 7800  
Jefferson City, MO 65102-7800



Gary W. Duffy

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