

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Consideration of Adoption)
of the PURPA Section 111(d)(13) Fossil Fuel) **Case No. EO-2006-0495**
Generation Efficiency Standard as Required by)
Section 1251 of the Energy Policy Act of 2005)

ORDER DIRECTING FILING

Issue Date: July 5, 2006

Effective Date: July 5, 2006

On June 22, 2006, the Staff of the Missouri Public Service Commission filed a motion requesting that the Commission establish a case, provide notice, set an intervention deadline and schedule an early prehearing conference for the purpose of establishing a record of consideration and a determination as to whether to adopt the Fossil Fuel Generation Efficiency Standard established in Section 1251 of the Energy Policy Act of 2005 ("EPAAct"). The Commission granted Staff's motion on June 23, 2006.

On July 3, 2006, The Empire District Electric Company ("Empire") filed an application to intervene in this matter pursuant to 4 CSR 240-2.075. In paragraph 6 of Empire's application it states: "Although the company does not currently know what position it will take in this case, Empire's interests will be directly affected and could be adversely affected by an changes to PURPA Section 111(d)(15) Interconnection Standard that are ordered by the Commission." Because this case was opened to establish a record of consideration and determination as to whether to adopt PURPA

Section 111(d)(13) Fossil Fuel Generation Efficiency Standard, it is unclear to the Commission if it is Empire's intent to intervene in this matter or in case number EO-2006-0497, "In the Matter of the Consideration of Adoption of the PURPA Section 111(d)(15) Interconnection Standard as required by Section 1254 of the Energy Policy Act of 2005." Consequently, the Commission will direct Empire to file a clarification as to which case it is seeking intervention.

IT IS ORDERED THAT:

1. The Empire District Electric Company shall file a supplemental pleading clarifying in which case, or cases, it seeks to intervene no later than July 12, 2006.
2. This order shall become effective on July 5, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 5th day of July, 2006.