

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

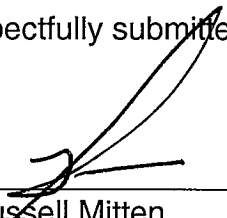
In the Matter of the Consideration of Adoption)
of the PURPA Section 111(d)(13) Fossil Fuel)
Generation Efficiency Standard as Required by)
Section 1251 of the Energy Policy Act of 2005)

Case No. EO-2006-0495

RESPONSE OF THE EMPIRE DISTRICT ELECTRIC COMPANY

In response to the Missouri Public Service Commission's (Commission) "Order Granting Leave to Withdraw Motion and Directing Filing of Additional Pleadings," dated December 26, 2006, The Empire District Electric Company ("Empire" or "Company") hereby adopts its November 10, 2006, response to the Commission Staff's "Motion to Open Rulemaking Docket." Empire believes the positions stated in that response accurately and adequately reflect the Company's position on the threshold question of whether the prior state action exemption applies to the Fossil Fuel Generation Efficiency Standard that was included in the "Energy Policy Act of 2005," and that no supplementation of those positions is necessary at this time.

Respectfully submitted,



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Certificate of Service

The undersigned hereby certifies that a true copy of the foregoing document was served upon the following by electronic mail, facsimile or U.S. mail, postage prepaid, this 9th day of February, 2007:

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