

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

In the Matter of the Consideration of Adoption )  
of the PURPA Section 111(d)(14) Time-Based )  
Metering and Communications Standard as ) Case No. EO-2006-0496  
Required by Section 1251 of the Energy Policy )  
Act of 2005 )

**THE RESPONSE OF THE EMPIRE DISTRICT ELECTRIC  
COMPANY TO STAFF'S SUGGESTIONS REGARDING  
FUTURE PROCEEDINGS**

The Empire District Electric Company ("Empire" or "Company"), through its undersigned counsel, hereby submits the following response to the *Suggestions Regarding Future Proceedings* filed by the Staff ("Staff") of the Missouri Public Service Commission ("Commission") on September 29, 2006. In that filing, Staff proposed that a case-specific technical conference be scheduled for November 20, 2006, in order to discuss whether rulemaking or a statement of Commission policy can best address the federal time-based metering and communications standard in 16 U.S.C. § 2621(d)(14) under consideration herein. In addition, Staff proposed that each party to the case be required, by December 5, 2006, to: 1) state their respective positions on the rulemaking vs. policy statement issue, and 2) propose a timeline that will allow completion of any required compliance activities before August 8, 2007, deadline prescribed in EAct 2005. Staff also proposes to keep the current docket open pending completion of the aforementioned activities.

Although, as stated in the *Response to Order Directing Filing* that the Company filed in this case on September 15, 2006, Empire believes this case can be terminated under the "prior state action" provisions of EAct 2005,<sup>1</sup> there may be merit to Staff's proposal that the parties be afforded additional time to further discuss the federal time-base metering and communications standard and to state their respective positions as to how the Commission should comply. The Company, therefore, does not oppose Staff's suggestions in this case.

Respectfully submitted,



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ATTORNEYS FOR THE EMPIRE DISTRICT  
ELECTRIC COMPANY

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<sup>1</sup> 16 U.S.C. § 2622(d).