

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Jay Scott Emler, Chairman
 Shari Feist Albrecht
 Pat Apple

In the Matter of the Joint Application of The)
Empire District Electric Company, Liberty Sub)
Corp. and Liberty Utilities (Central) Co. for) Docket No. 16-EPDE-410-ACQ
Approval of an Agreement and Plan of Merger)
and for Other Related Relief)

ORDER ASSESSING COSTS

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds and concludes as follows:

1. K.S.A. 66-1502 authorizes the Commission to assess the expenses of an investigation, opened on its own motion, against public utilities if the expenses reasonably attributable to such investigation exceed the sum of \$100. The Commission will utilize members of its Staff in this investigation, and as deemed appropriate by the Commission, employ special assistants and consultants to investigate all matters connected with this proceeding. The Commission finds that the expenses reasonably attributable to this investigation will exceed \$100. The Commission concludes that the costs of this proceeding should be equally assessed to The Empire District Electric Company, Liberty Sub Corp. and Liberty Utilities (Central) Co. This order constitutes notice of the assessment of costs and the assessment will begin three days after the date this order is mailed. The Empire District Electric Company, Liberty Sub Corp. and Liberty Utilities (Central) Co. are given notice that they may request a hearing as to the necessity

of the investigation or the assessment of costs, in accordance with the provisions of the Kansas Administrative Procedure Act.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Empire District Electric Company, Liberty Sub Corp. and Liberty Utilities (Central) Co. are equally assessed the costs of this investigation.

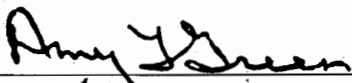
B. The parties have fifteen days, plus three days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2010 Supp. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: **MAR 24 2016**



Amy L. Green
Secretary to the Commission

Order Mailed Date

MAR 24 2016

CERTIFICATE OF SERVICE

16-EPDE-410-ACQ

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on **MAR 24 2016**.

JAMES G. FLAHERTY, ATTORNEY
ANDERSON & BYRD, L.L.P.
216 S HICKORY
PO BOX 17
OTTAWA, KS 66067
Fax: 785-242-1279
jflaherty@andersonbyrd.com

SARAH B. KNOWLTON, SENIOR DIRECTOR,
REGULATORY COUNSEL
LIBERTY UTILITIES CO.
15 BUTTRICK ROAD
LONDONDERRY, NH 03053

KELLY S. WALTERS, VP/COO
EMPIRE DISTRICT ELECTRIC COMPANY
PO BOX 127
JOPLIN, MO 64802
Fax: 417-625-5173
kwalters@empiredistrict.com

W. SCOTT KEITH, DIRECTOR OF PLANNING AND
REGULATORY
EMPIRE DISTRICT ELECTRIC COMPANY
602 S JOPLIN AVE (64801)
PO BOX 127
JOPLIN, MO 64802
Fax: 417-625-5169
skeith@empiredistrict.com

CHRISTOPHER D. KRYGIER, DIRECTOR, REGULATORY &
GOVERNMENT AFFAIRS
LIBERTY UTILITIES CO.
2751 N HIGH STREET
JACKSON, MS 63755

/s/ DeeAnn Shupe
DeeAnn Shupe

Order Mailed Date

MAR 24 2016