

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Thomas E. Wright, Chairman
 Joseph F. Harkins

In the Matter of the Application of The Empire District) DOCKET NO.
Electric Company for Approval to Implement its Portfolio) 10-EPDE-497-TAR
of Energy Efficiency and Demand Response Programs for) ELECTRIC
its Kansas Customers, to Provide for Program Cost
Recovery and Lost Revenues Through a Rider Mechanism,
to Obtain any Necessary Waivers from the Commission,
and for Appropriate Accounting Authority to Defer
Expenses and Revenues Associated with the Filing.

ORDER ASSESSING COSTS

The above matter comes before the State Corporation Commission of the State of Kansas for consideration. Being fully advised of all matters of record, the Commission finds that the expenses reasonably attributable to this investigation may exceed \$100. If the \$100 threshold is met, the Commission will assess these expenses against EMPIRE DISTRICT ELECTRIC COMPANY pursuant to K.S.A. 66-1502. Expenses attributable to this docket shall be assessed beginning three days after notice of this assessment is given by service of this Order by United States mail. EMPIRE DISTRICT ELECTRIC COMPANY is hereby notified that it has an opportunity to request a hearing on this assessment in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*

IT IS, THEREFORE, ORDERED BY THE COMMISSION THAT:

EMPIRE DISTRICT ELECTRIC COMPANY is assessed the costs of this investigation

pursuant to K.S.A. 66-1502. A party may file a petition for reconsideration of this Order within 15 days of the date of this Order. If service is by mail, 3 additional days may be added to the 15-day time limit to petition for reconsideration. 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.

Wright, Chairman; Harkins, Comm.

Dated: **FEB 08 2010**

ORDERED MAILED

FEB 09 2010

Joann LaBey
EXECUTIVE
DIRECTOR

Executive Director