

The Empire District Electric Company Launches Equity Distribution Program with UBS

Date: 02/26/09

Cahill represented The Empire District Electric Company (NYSE:EDE) in connection with its entering into an equity distribution agreement with UBS Securities whereby Empire may offer and sell shares of its common stock, par value \$1.00 per share, having an aggregate offering price of up to \$60,000,000 from time to time through UBS, as sales agent. Under the terms of the program, Empire may also sell shares to UBS as principal for UBS' own account at a price agreed upon at the time of sale. The shares will be offered under a prospectus supplement describing the program dated February 25, 2009, which was filed pursuant to an effective shelf registration statement previously filed with the Securities and Exchange Commission.

Funds raised from this program will be used to repay short-term debt and for general corporate purposes, including to fund Empire's current construction program.

Attorney

- Michael A. Sherman

CAHILL GORDON & REINDEL LLP