

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Tariff Filing of The	)	
Empire District Electric Company to	)	
Implement General Rate Increase for	)	Case No. ER-2004-0570
Retail Electric Service Provided to	)	
Customer in its Missouri Service Area	)	

APPLICATION OF UNION ELECTRIC COMPANY, d/b/a AMERENUE  
TO INTERVENE OUT OF TIME

COMES NOW, Union Electric Company, d/b/a AmerenUE ("AmerenUE"), and pursuant to 4 CSR 240-2.075 applies to intervene in the above-captioned matter and to become a party herein. In support thereof, AmerenUE states as follows:

1. AmerenUE is a corporation duly organized and existing under the laws of the State of Missouri, with its principal office located at 1901 Chouteau Avenue, St. Louis, Missouri 63103, and is an electrical corporation, gas corporation and public utility as defined in Section 386.020, RSMo. (2000). AmerenUE is engaged in providing electric and gas services in portions of Missouri as a public utility under the jurisdiction of the Commission. AmerenUE is also engaged in providing electric and gas service in portions of Illinois.

2. On April 30, 2004, The Empire District Electric Company ("Empire") filed revised tariff sheets consisting of revised electric rate schedules which were designed to increase Empire's annual electric revenues by approximately \$38,282,000, effective May 30, 2004. On May 5, 2004, the Commission issued an order in which, among other things, it suspended the proposed tariff sheets and set a deadline for intervention of May 25, 2004.

3. AmerenUE seeks intervention because it believes that it will or may be impacted by the outcome of this proceeding. In particular, AmerenUE has an interest in

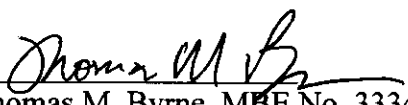
the Commission's treatment of depreciation of Empire's electric plant and seeks the opportunity to provide evidence on this important policy issue. As an electric utility AmerenUE's interest in this matter is different from that of the general public and cannot be represented adequately by any other party to this proceeding.

4. AmerenUE recognizes that its application to intervene is being filed just over three weeks past the due date for intervention. AmerenUE believes its intervention at this early stage of the proceeding will not disrupt the proceeding or adversely affect any party's interest. AmerenUE will accept the record of this proceeding as it currently exists.

WHEREFORE, for the foregoing reasons, AmerenUE respectfully requests that the Commission grant its Application to Intervene and allow it to become a party to this proceeding.

Respectfully submitted,

UNION ELECTRIC COMPANY  
d/b/a AmerenUE

By   
Thomas M. Byrne, MBE No. 33340  
Attorney for  
Ameren Services Company  
One Ameren Plaza  
1901 Chouteau Avenue  
P.O. Box 66149 (MC 1310)  
St. Louis, MO 63166-6149  
(314) 554-2514  
(314) 554-4014 (FAX)  
tbyrne@ameren.com

Dated: June 17, 2004

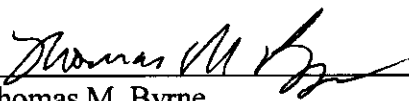
## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this 17<sup>th</sup> day of June, 2004, served the foregoing Application of Union Electric Company, d/b/a AmerenUE, to Intervene Out of Time either by electronic means, or by U. S. mail, postage prepaid addressed to all parties by their attorneys of record as provided by the Secretary of the Commission as shown below.

Mr. John Coffman  
Public Counsel  
Office of the Public Counsel  
200 Madison Street  
Suite 650  
Jefferson City, MO 65101

Mr. James C. Swearengen  
Brydon, Swearengen & England, P.C.  
312 East Capitol Avenue  
Jefferson City, MO 65101

Mr. Dan Joyce  
General Counsel  
Missouri Public Service Commission  
200 Madison Street  
Suite 800  
Jefferson City, MO 65101

  
\_\_\_\_\_  
Thomas M. Byrne