

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric	)	
Company of Joplin, Missouri for Authority	)	
to File Tariffs Increasing Rates for Electric	)	<b><u>Case No. ER-2008-0093</u></b>
Service Provided to Customers in the Missouri	)	Tariff File No. YE-2008-0205
Service Area of the Company.	)	

### **ORDER GRANTING APPLICATIONS TO INTERVENE**

Issue Date: November 5, 2007

Effective Date: November 5, 2007

On October 1, 2007, The Empire District Electric Company filed a tariff with the Missouri Public Service Commission. On October 29, 2007, Praxair, Inc. ("Praxair") and Explorer Pipeline Company ("Explorer") filed a provisional application to intervene in this case. Although filed out of time, the Commission accepted the application, finding that Praxair and Explorer believed in good faith that, pursuant to the terms of a stipulation and agreement approved by the Commission in Case No. EO-2005-0263 (EO-2005-0263 Stipulation), they would be granted intervention in this case without the need to formally request intervention.

To allow the Commission sufficient time to analyze the arguments raised by Praxair and Explorer related to the impact of the EO-2005-0263 Stipulation without delaying a determination regarding their status in this case, the Commission treated Praxair and Explorer's October 29, 2007 filing as an application to intervene. The Commission shall address the merits of Praxair and Explorer's argument related to the EO-2005-0263 Stipulation in a subsequent order.

Because an early prehearing conference, at which discovery issues and procedural dates will be addressed by the parties, is currently scheduled for Monday November 5, 2007, the Commission set Friday, November 2, 2007, as the deadline to file an objections to Praxair and Explorer's intervention requests. That date has now passed and no party objected to Praxair and Explorer being granted intervention.

The Commission finds that each of these applicants has an interest that is different from that of the general public and that each applicant's interest may be adversely affected by a final order arising from this case. Furthermore, the Commission finds that allowing these applicants to intervene will serve the public interest. Therefore, in accordance with 4 CSR 240-2.075(4), the Commission will grant the applications to intervene.

**IT IS ORDERED THAT:**

1. The application to intervene filed by Praxair, Inc., is granted.
2. The application to intervene filed by Explorer Pipeline Company is granted.
3. This order shall become effective on November 5, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

(S E A L)

Cherlyn D. Voss, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 5th day of November, 2007.