

**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)	Case No. ER-2006-0315
Service Provided To Customers in the)	
Missouri Service Area of the Company)	

**STAFF’S PARTIAL RESPONSE TO PRAXAIR, INC.’S AND EXPLORER
PIPELINE COMPANY’S APPLICATION FOR REHEARING,
RECONSIDERATION OR MODIFICATION OF SUSPENSION ORDER,
AND STAFF’S RESPONSE TO PRAXAIR’S AND EXPLORER PIPELINE’S
PROVISIONAL APPLICATION TO INTERVENE**

Comes now the Staff of the Missouri Public Service Commission (Staff) in partial response to Praxair Inc.’s (Praxair) and Explorer Pipeline Company’s (Explorer Pipeline) Application For Rehearing, Reconsideration Or Modification Of Suspension Order filed on February 17, 2006, and in response to Praxair’s And Explorer Pipeline’s Provisional Application To Intervene filed on February 24, 2006.¹ Praxair and Explorer Pipeline have correctly related the provision on page 10, in section III.D.1.c. “Intervention In Rate Cases,” in the Stipulation And Agreement filed on July 18, 2005 by the Signatory Parties thereto and approved on August 2, 2005 by the Commission in Case No. EO-2005-0263 (*In the Matter of The Empire District Electric Company's Application for Certificate of Public Convenience and Necessity and Approval of an Experimental Regulatory Plan Related to Generation Plant*).

The Staff respectfully requests that the Missouri Public Service Commission (Commission) recognize the terms of the Stipulation And Agreement that it approved in Case No. EO-2005-0263 and grant intervenor status to not only Praxair and Explorer Pipeline, but also to the Missouri Department of Natural Resources (MDNR), which is the only other signatory

¹ The Staff also notes that on February 8, 2006, Counsel for Praxair and Explorer Pipeline filed an Entry Of Appearance.

party to the Stipulation And Agreement in Case No. EO-2005-0263, other than the Office of the Public Counsel and the Staff. Praxair and Explorer Pipeline are represented by Mr. Stuart W. Conrad (MBE# 23966), 3100 Broadway, Suite1209, Kansas City, MO 64111. MDNR is represented by Ms. Shelley A. Woods (MBE# 33525), Missouri Attorney General's Office, P.O. Box 899, Jefferson City, MO 65102.

Wherefore the Staff requests that the Commission grant intervenor status to Praxair Inc., Explorer Pipeline Company and the Missouri Department of Natural Resources pursuant to the terms of the Stipulation And Agreement approved by the Commission on August 2, 2005 in Case No. EO-2005-0263.

Respectfully submitted,

/s/Steven Dottheim

Steven Dottheim
Chief Deputy General Counsel
Missouri Bar No. 29149

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-7489 (Telephone)
(573) 751-9285 (Fax)
e-mail: steve.dottheim@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 24th day of February 2006.

/s/ Steven Dottheim