

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Consideration)
of Adoption of the PURPA Section)
111(d)(16) Consideration of Smart)
Grid Investments Standard as Re-) EO-2009-0249
quired by Section 523 of the Energy)
Independence and Security Act of)
2007)

APPLICATION TO INTERVENE BY PRAXAIR, INC,

COMES NOW PRAXAIR, INC. ("Praxair") pursuant to 4
C.S.R. 240-2.075 and applies to intervene herein. In support,
Praxair respectfully states:

1. Praxair is a large industrial electric customer of
Empire. Praxair operates a major air liquefaction and constitu-
ent gas separation facility in Kansas City in KCPL's service
territory. Praxair is the successor in interest to the Linde
Division of Union Carbide Corporation.

2. On December 15, 2008, the Staff of the Commission
Filed a Motion to Establish a Case, Provide Notice and Schedule a
Prehearing Conference. By an Order on December 17, 2008, the
Commission granted that Motion and established this case in a
single order including Case Nos. EO-2009-0247, EO-2009-0248, EO-
2009-0249 and EO-2009-0250.

3. Correspondence or communications regarding this
application, including service of all notices and orders of this
Commission, should be addressed to:

Stuart W. Conrad, Esq.

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4. Praxair seeks intervention because it believes that it will or may be impacted by the outcome of this proceeding. As an interruptible customer, Praxair's interest in the terms and conditions of service is different from that of the general public, and will not or cannot adequately be represented by any other party. Therefore, it will aid the Commission and protect and advance the public interest that Praxair be permitted to intervene in this proceeding to protect its interest which no other party is in a position properly to protect and adequately represent.

WHEREFORE, Praxair prays: (a) that it be permitted to intervene herein and be made a party hereto with all rights to have notice of and participate in hearings to present evidence, cross-examine witnesses, file briefs and participate in argument,

should any be had; and (b) for all other needful and proper relief appropriate in the premises.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



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ATTORNEYS FOR PRAXAIR, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by electronic means, by United States Mail, First Class postage prepaid, or by hand delivery to all known parties in interest upon their respective representatives or attorneys of record as reflected in the records maintained by the Secretary of the Commission through the EFIS system.

A handwritten signature in black ink, appearing to read "Stuart W. Conrad", written over a horizontal line.

Stuart W. Conrad

Dated: January 16, 2009