

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of The Empire District Electric Company,     )  
Liberty Utilities (Central) Co. and Liberty Sub Corp.     )  
Concerning an Agreement and Plan of Merger and             )     File No. EM-2016-0213  
Certain Related Transactions                                     )

**APPLICATION TO INTERVENE OF CITY OF JOPLIN, MISSOURI**

**COMES NOW** the City of Joplin, by and through counsel, pursuant to 4 CSR 240-2.075, and applies to intervene and become a party in the above-referenced case, and in support of its Application to Intervene states as follows:

1.     The City of Joplin (Joplin) is a municipality located in Jasper County, Missouri. The Empire District Electric Company (Empire) operates within the City of Joplin under a franchise granted by the City, and various parts of its plant occupy City right-of-way. The City has a police power interest in Empire’s exercise of its franchise that is different from the interest of the general public. Furthermore, Empire’s headquarters are located in Joplin and have a substantial financial impact on and in the City of Joplin. In addition, Joplin also has an interest in the welfare of its citizens, who receive their electric service from Empire. All of these interests are different from the interests of the general public.

2.     The Missouri Public Service Commission has previously recognized Joplin’s interest in proceedings regarding Empire matters in permitting Joplin’s intervention in prior Empire proceedings, including File Nos. ER-2010-0130, ER-2011-0004, ER-2014-0351, and ER-2016-0023.

3.     On March 16, 2016, Empire filed a Joint Application, along with Liberty Utilities (Central) Co., and Liberty Sub Corp., seeking approval for Liberty Sub Corp. to acquire Empire.

4. On March 17, 2016, the Missouri Public Service Commission issued an Order setting an intervention deadline of April 14, 2016. This Application to Intervene is timely under that Order.

5. Joplin states, pursuant to 4 CSR 240-2.075(2), that it has a vital interest in the effects of the proposed Joint Application on its citizens and businesses, and to the City of Joplin itself, including the effects on rates, services, and financial impacts and is unsure of the position it will take on the proposed Joint Application.

6. The granting of the proposed intervention would serve the public interest.

7. Correspondence, communications, orders and decisions in this matter should be addressed to:

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308 East High Street, Suite 301  
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**WHEREFORE**, for the foregoing reasons, the Intervenor City of Joplin respectfully requests that the Commission grant this Application to Intervene in this matter.

Respectfully submitted,

BLITZ, BARDGETT & DEUTSCH, L.C.

By: /s/ Marc H. Ellinger  
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**CERTIFICATE OF SERVICE**

I hereby certify that true copies of the above Application to Intervene were sent to each of the following parties of record via electronic transmission this 6<sup>th</sup> day of April, 2016:

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/s/ Marc H. Ellinger  
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