

**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-2012-0345
Service Provided to Customers in the Missouri)	
Service Area of the Company)	

**APPLICATION TO INTERVENE OF THE MIDWEST ENERGY CONSUMERS
GROUP AND MOTION TO LATE FILE**

COMES NOW the Midwest Energy Consumers Group (“Applicants” or “MECG”), pursuant to 4 CSR 240-2.075 of the Missouri Public Service Commission’s Rules of Practice and Procedure and the Commission’s July 9, 2012 *Order Directing Notice, Setting Intervention Deadline, Setting Procedural Conference and Directing Filing of Proposed Procedural Schedule*, and for its Application to Intervene respectfully states as follows:

1. The Midwest Energy Consumers Group is an unincorporated association of large users of electricity. Relevant to the immediate proceeding, MECG consists of large users of electricity taking service from Empire District Electric Company (“Empire”). Included in the members of MECG are Tyson Foods, and Tamko Building Products, Inc. MECG anticipates that it may add additional members in the near future and will notify the Commission at such time as those members become known.

2. The matters to be considered in this case and the Commission’s determinations therein, could have a direct and significant impact on Applicants’ cost of energy service and the manner in which it is supplied. Therefore, granting this proposed

intervention to the Applicants would serve the public interest and would assist the Commission in development of a more complete record.

3. As large user customers of Empire, the Applicants have a direct and immediate interest in these proceedings that is different from that of the general public. While Applicants do not at this time have sufficient information to assert a position on this investigation, they reserve the right to assert positions after they have had an adequate opportunity to examine the record, and any documentation of other parties filed herein.

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

David L. Woodsmall
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807 Winston Court
Jefferson City, MO 65101

5. In its July 9 Order, the Commission set an intervention deadline of July 19, 2012. This deadline only provided potential parties 13 days from the filing Empire's tariffs to consult with clients and file their applications to intervene. While counsel endeavored to comply with the Commission's deadline, the need to fully consult with potential clients prohibited the timely filing of this application. Nevertheless, given that no events have occurred since the July 19 deadline, Applicants do not believe that their late-filed application will prejudice any of the parties in this matter. As such, Applicants ask that they be given leave to late-file this Application.

WHEREFORE, having stated the grounds for intervention and the position and interest of the Applicants in these proceedings, Applicants ask that the Commission grant

this Application for Intervention, and thereby entitle said Applicants to have notice of and to appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on the argument, and in all other respects to be made parties to this proceeding.

Respectfully submitted,



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ATTORNEY FOR THE MIDWEST
ENERGY CONSUMERS GROUP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.



David L. Woodsmall

Dated: July 23, 2012