

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of The Empire Dis-)
trict Electric Company of Joplin,)
Missouri for authority to file)
tariffs increasing rates for elec-) ER-2016-0023
tric service provided to customers)
in the Company's Missouri service)
area)

APPLICATION TO INTERVENE FILED 3 DAYS OUT OF TIME
BY MIDWEST ENERGY USERS' ASSOCIATION

COMES NOW the MIDWEST ENERGY USERS' ASSOCIATION ("MEUA") pursuant to 4 C.S.R. 240-2.075 and applies to intervene herein and become a party for all purposes in respect to the rate increase filing by Empire District Electric Company ("Empire") on October 16, 2015. In support, MEUA states:

1. MEUA is an unincorporated ad-hoc association of large commercial and industrial users of electricity who group together using the MEUA vehicle to combine resources and gain economies in representation and activity in these rate cases. At present, MEUA participants are Explorer Pipeline Company ("Explorer"), and Enbridge Pipelines (Ozark) L. L. C. ("Enbridge"),^{1/} each of which is an Empire District customer and has previously intervened (individually or through MEUA) and been active in earlier Empire proceedings.

^{1/} The official name of the entity is as stated. Presumably for billing purposes, Empire has shortened the name to "Enbridge Pipelines LLP."

2. Explorer is a large industrial electric customer of Empire. Explorer operates a 1,400-mile pipeline system that transports liquid petroleum products including gasoline, diesel fuel and jet fuel from the Gulf Coast to the Midwest. Explorer is based in Tulsa, Oklahoma, and also serves Houston, Dallas, Fort Worth, St. Louis and Chicago. Portions of Explorer's products pipeline extend through the service territory of Empire where Explorer has three electric-driven pumping stations. Explorer was an intervenor in Empire's most recent general rate case, Case No. ER-2014-0351, and in Empire's earlier general rate cases.

3. Enbridge is also a large industrial electric customer of Empire. Enbridge is an international petroleum liquids and natural gas pipeline operator, operating thousands of miles of pipelines in the United States and in Canada. Among its numerous pipeline links, Enbridge operates a liquids pipeline link that extends through Empire's service territory to Wood River, Illinois and includes several pumping stations that use electricity supplied by Empire.

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

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5. On October 16, 2015, Empire filed new tariffs with the Commission to implement a general rate increase for retail electric service. Empire stated that the new retail electric service rates are designed to produce roughly an additional \$33.4 million in gross annual electric revenues excluding gross receipts, sales, franchise, and occupational taxes, over existing revenues.

6. MEUA participants are interested in and will be directly affected by this proposed increase and in its impact on ratepayers generally and upon them specifically. They will be adversely affected by any Commission order issued in this proceeding. Their interest is direct, immediate, unique, 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 MEUA be permitted to intervene in this proceeding to protect its participants' interest which no other party is in a position properly to protect.

7. For purposes of 4 C.S.R. 240-2.075(2), MEUA states that it opposes the discriminatory and non-cost-based pricing of electricity and related utility services. Analysis of Empire's rate filing is incomplete. At an appropriate time MEUA expects to indicate a position with respect to specific aspects of the proposed increase pursuant to customary procedures.

8. This application is filed 3 days out of time. Despite being a participant in several prior Empire rate cases and participating in pre-filing conferences, MEUA council did not and has not received notice of or a copy of this filing by Empire. This application is, however, filed promptly as soon as counsel became aware of the filing and before the initial pre-hearing conference is scheduled to occur on November 10, 2015. No prejudice will result to any party or to Empire by permitting this late-filed application.

WHEREFORE, MEUA requests: (a) that it be permitted to intervene herein and be made parties 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,

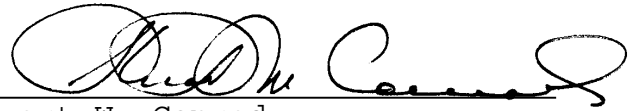


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ATTORNEY FOR MIDWEST ENERGY USERS'
ASSOCIATION

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.

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

Stuart W. Conrad

Dated: November 7, 2015