

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

In re: The Empire District Electric)
Company's 2010 Utility Resource)
Filing pursuant to 4 CSR 240 - Chapter 22)

Case No. EO-2011-0066

**APPLICATION TO INTERVENE OUT OF TIME BY THE
MISSOURI JOINT MUNICIPAL ELECTRICAL UTILITY COMMISSION**

COMES NOW, the Missouri Joint Municipal Electric Utility Commission ("MJMEUC"), by and through their attorney, Douglas L. Healy, Healy & Healy, Attorneys at Law, LLC, pursuant to Missouri Public Service Commission ("Commission") rule 4 CSR 240-2.075, and files its Motion to Intervene Out of Time in the referenced case. In support thereof, MJMEUC states as follows:

1. On September 3, 2010, The Empire District Electric Company ("Empire") filed its Integrated Resource Plan ("IRP"), which is required by the Commission's Integrated Resource Planning Rule, 4 CSR 240-22.
2. Applications to Intervene in this case were due September 15, 2010, pursuant to Commission Order issued September 8, 2010.
3. The MJMEUC is a body corporate and politic of the State of Missouri, organized as a joint municipal utility commission pursuant to section 393.700 et seq. RSMo., with authority to exercise public powers of a political subdivision of the state for the benefit of the inhabitants of municipalities jointly contracting to establish the MJMEUC. Sixty Missouri municipalities are current parties to the joint contract establishing the MJMEUC.

4. MJMEUC has an interest that is different from that of the general public, in that it represents the interest of municipal electrical systems throughout the state, as well as municipal electrical systems that take transmission through the Southwest Power Pool, of which Empire is a member. Such interest is not currently represented in the proceedings.
5. Granting intervention to MJMEUC would serve the public interest by allowing MJMEUC's experience and insight to be part of the Integrated Resource Planning process.
6. The MJMEUC submitted its application on September 16, 2010, eight days after such Order setting the time to file an intervention was issued, and within thirty days of Empire's filing to open this docket.
7. The MJMEUC only recently became aware of this filing, and promptly filed its Motion to Intervene.
8. Good cause exists to allow MJMEUC being allowed to join such proceedings; no procedural schedule has been set in this matter, the first meeting of the parties is not scheduled till September 27, 2010, and the probative value of granting intervention out of time exceeds any prejudice to the current parties.

WHEREFORE, the MJMEUC prays that this Commission issue an order granting its application to intervene in this proceeding and for such other orders and relief as may be appropriate in the circumstances.

Respectfully Submitted,

By: /s/ Douglas L. Healy
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ATTORNEY FOR MJMEUC

CERTIFICATE OF SERVICE

I hereby certify that the foregoing application to intervene was served by electronically filing a mailing a copy to the following interested persons on this 16th day of September, 2010:

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