

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

In the matter of The Empire Dis-)	
trict Electric Company's Applica-)	
tion for Approval of Demand-Side)	
Management Programs and for Author-)	EO-2012-0206
ity to Establish a Demand-Side)	
Programs Investment Mechanism)	

**APPLICATION TO INTERVENE
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 29, 2009. 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. For purposes of this case, MEUA participants are Praxair, Inc. ("Praxair"), Explorer Pipeline Company ("Explorer"), and Enbridge Energy, LLP ("Enbridge"), each of which is an Empire District customer and has previously intervened (individually or through MEUA) and been active in earlier Empire proceedings.

2. Praxair is a large industrial electric customer of Empire. Praxair operates a major air liquefaction and constituent gas separation facility near Neosho, Missouri. Praxair is

the successor in interest to the Linde Division of Union Carbide Corporation.

3. 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.

4. Enbridge is a large industrial electric customer of Empire and operates an extensive crude oil and liquids pipeline system throughout the midwest. Some compression or pumping stations are located in Empire's service territory and are customers of Empire.

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

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6. On February 28, 2012 Empire filed this application to gain approval of certain new and existing DSM programs and establish a DSM investment mechanism pursuant to §393.1075 RSMO, known as the Missouri Energy Efficiency Investment Act ("MEEIA"), and Commission rules 4 CSR 240-3.163, 4 CSR 240-3.164, 4 CSR 240-20.093, and 4 CSR 240-20.094.

7. MEUA participants are interested in and may now or in the future affected by the relief sought by Empire. 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.

8. 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 application has just begun and MEUA is unable to be more specific pending that review and analysis of materials yet to be disclosed.

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,

FINNEGAN, CONRAD & PETERSON, L.C.

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

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ATTORNEYS 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.



Stuart W. Conrad

Dated: March 9, 2012