

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

<b>Staff of the Missouri Public Service Commission,</b>	)	
	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>vs.</b>	)	<b>GC-2007-0112</b>
	)	
<b>The Empire District Gas Company,</b>	)	
	)	
<b>Respondent.</b>	)	

**APPLICATION TO INTERVENE OF  
PITTSBURGH CORNING CORPORATION**

COMES NOW Pittsburgh Corning Corporation, ("Pittsburgh Corning"), pursuant to 4 C.S.R. 240-2.110(14)-(16) and applies to intervene herein with respect to the above complaint made by the Staff of the Missouri Public Service Commission ("Staff") against The Empire District Gas Company ("Empire") on or about September 22, 2006. In support thereof, Pittsburgh Corning respectfully states:

1. Pittsburgh Corning is a corporation duly licensed and authorized to do business in Missouri. Pittsburgh Corning operates a major manufacturing facility in Sedalia, Missouri. Pittsburgh Corning consumes substantial quantities of natural gas that it purchases on its own account and has locally transported by Empire, successor to Aquila Networks - MPS.

2. Pittsburgh Corning consumes a large portion of the natural gas sold or transported by Empire in Sedalia under its industrial sales or transportation rates.

3. Pittsburgh Corning employs numerous persons from the Sedalia community and surrounding areas. The cost of energy in general and natural gas in particular is of significant concern to Pittsburgh Corning in planning its activities and business plans in Sedalia. Significantly, Pittsburgh Corning is also concerned with the reliability of its natural gas deliveries.

4. On November 8, 2005, Aquila Networks - MPS and Empire sought Commission authorization for the sale, transfer and assignment of certain assets and liabilities from Aquila to Empire and other related transactions. Pittsburgh Corning intervened in and participated in that proceeding.

5. Pittsburgh Corning representatives have not yet completed review of Staff's complaint and a definitive position thereon cannot be stated at this time. However, for purposes of 4 C.S.R. 240-2.110 (13), Pittsburgh Corning senses that its concerns are potentially parallel to those of the Staff. Although Pittsburgh Corning is not a natural gas purchaser from Empire's system supply, the reliability of Pittsburgh Corning's transportation supplies may depend upon the reliability of Empire's gas supplies for its system sales customers. Accordingly, Pittsburgh Corning is interested in this matter because of the potential impact that an alleged failure to provide an adequate

accounting of its natural gas hedging program could have on future natural gas transportation terms, conditions and pricing. Moreover, as a signatory to the settlement agreement whereby Empire acquired these assets and made certain commitments with respect to its future operations, Pittsburgh Corning is concerned that the terms of that settlement agreement be performed by Empire.

6. At present, Pittsburgh Corning has made no independent investigation of the allegations in the Staff Complaint and thus can take no affirmative position regarding the validity of such allegations.

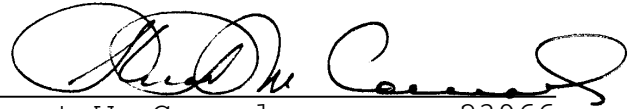
7. Pittsburgh Corning may be bound or adversely affected by any Commission order or determination in this proceeding. Because Empire transports gas for consumption to Pittsburgh Corning under separate rate schedules, and because of its significant use and high load factor, Pittsburgh Corning is in the special position of representing an interest which will not and cannot be represented adequately by any other party and which interest is direct and immediate and different than that of the general public. Therefore, it will aid the Commission and protect the public interest that Pittsburgh Corning be permitted to intervene in this proceeding so as to protect its interest as a gas transporter which no other party is in a position properly to protect and adequately represent herein and assist in the development of a more complete record for the Commission's consideration.

8. Counsel for Pittsburgh Corning has contacted Staff counsel regarding this Application and the latter indicated that Staff did not oppose this Application.

WHEREFORE, having shown its pecuniary and particular interest in this matter Pittsburgh Corning prays that its Application to Intervene herein be granted, and that it be permitted to participate in the proceedings as scheduled, to cross examine witnesses offered, to participate in oral argument if any be had, and to file briefs on the issues presented in this case, and for all other needful relief.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

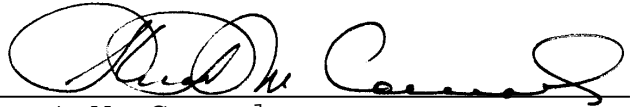
A handwritten signature in black ink, appearing to read "Stuart W. Conrad", is written over a horizontal line.

Stuart W. Conrad 23966  
3100 Broadway, Suite 1209  
Kansas City, Missouri 64111  
(816) 753-1122 ext. 211  
Facsimile (816) 756-0373  
Email: stucon@fcplaw.com

Attorneys for Pittsburgh Corning  
Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served the foregoing pleading by postage prepaid first class U.S. mail, by e-mail or by other electronic means addressed to the representatives of all parties as shown by the records of the Commission on this date.

  
\_\_\_\_\_  
Stuart W. Conrad

Dated: September 26, 2006