

**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 Tariff            )  
Increasing Rates for Electric Service Provided to         )  
Customers in the Missouri Service Area of the Company    )     **File No. ER-2010-0130**

**APPLICATION TO INTERVENE OF CITY OF JOPLIN, MISSOURI**

COMES NOW the City of Joplin, by and through counsel, pursuant to 4 CSR 240-2.075, and applies to intervene and become a party in the above-referenced case, and in support of its Application to Intervene states as follows:

1.     The City of Joplin (Joplin) is a municipality located in Jasper County, Missouri. The Empire District Electric Company of Joplin, Missouri (Empire) operates within the City of Joplin under a franchise granted by the City, and various parts of its plant occupy City right-of-way. The City has a police power interest in Empire's exercise of its franchise that is different from the interest of the general public. In addition, the City also has an interest in the welfare of its citizens, who receive their electric service from Empire, that is different from the interest of the general public.

2.     The Missouri Public Service Commission has previously recognized Joplin's interest in proceedings affecting the rates for electric service in the Empire Joplin District in permitting Joplin's intervention in prior Empire rate-related proceedings.

3.     On October 29, 2009, MAWC filed proposed tariffs reflecting an annual revenue increase of over \$68 million, an increase of 19.6% in revenues. These proposed tariffs, as they impact Joplin ratepayers, appear to the City to be unjust, unreasonable and unduly discriminatory, in violation of law.

4. On November 4, 2009, the Missouri Public Service Commission issued an Order suspending the proposed rates and tariffs and directing an investigation of the proposals, setting an intervention deadline, scheduling a hearing, and setting a pre-hearing conference. This Application to Intervene is timely under that Order.

5. Joplin states, pursuant to 4 CSR 240-2.075(2), that it is opposed to any unreasonable or unjust increase in electric rates or an increase in rates that would create financial hardship or undue discrimination to its citizens and businesses, and to the City of Joplin itself.

6. The granting of the proposed intervention would serve the public interest.

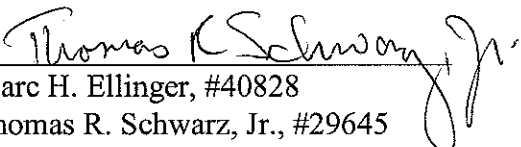
7. Correspondence, communications, orders and decisions in this matter should be addressed to:

Marc H. Ellinger  
Thomas R. Schwarz, Jr.  
Blitz, Bardgett & Deutsch, L.C.  
308 East High Street, Suite 301  
Jefferson City, MO 65101  
Telephone No.: (573) 634-2500  
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**WHEREFORE**, for the foregoing reasons, the Intervenor City of Joplin respectfully requests that the Commission grant this Application to Intervene in this matter.

Respectfully submitted,

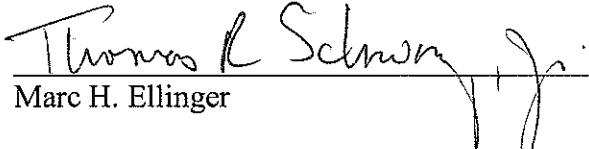
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**CERTIFICATE OF SERVICE**

I hereby certify that true copies of the foregoing Application to Intervene were sent to each of the following parties of record via electronic transmission this 24<sup>th</sup> day of November, 2009:

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