

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

In the Matter of the Application of Union)
Electric Company for Authority to Continue the)
Transfer of Functional Control of Its)
Transmission System to the Midwest)
Independent Transmission System Operator, Inc.) Case No. EO-2011-0128

EMPIRE’S APPLICATION TO INTERVENE

COMES NOW The Empire District Electric Company (Empire), and, pursuant to Missouri Public Service Commission (Commission) Rule 4 CSR 240-2.075, and the Commission’s Order Providing Notice and Establishing Intervention Deadline, states as follows:

1. Empire is a Kansas corporation with its principal office and place of business at 602 South Joplin Avenue (P.O. Box 127), Joplin, Missouri 64801 (64802). Empire is engaged in the business of providing electric and water utility services in Missouri to customers in its service areas and has a certificate of service authority to provide certain telecommunications services.

2. Empire is an “electrical corporation,” a “water corporation,” a “telecommunications company” and a “public utility” as those terms are defined in Section 386.020 RSMo, and is subject to the jurisdiction and supervision of the Commission as provided by law. Empire also has a wholly owned subsidiary that is a “gas corporation.”

3. Empire has no pending or final judgments or decisions against it from state or federal regulatory agencies or courts which involve customer service occurring within the three (3) years immediately proceeding the filing of this application. Empire has a general rate case pending before the Commission in Case No. ER-2008-0093. Empire has no overdue Commission annual reports or assessment fees.

4. Empire's documents of incorporation were filed with the Commission in Case No. EF-94-39 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). A Certificate of Authority from the Missouri Secretary of State to the effect that Empire, a foreign corporation, is authorized to do business in the State of Missouri, was filed with the Commission in Case No. EM-2000-369 and is also incorporated by reference.

5. Pleadings, notices, orders and other correspondence and communications concerning this application should be addressed to the undersigned counsel and:

Mr. Bary K. Warren
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6. On February 26, 2004, in Case No. EO-2003-0271, the Commission approved a stipulation and agreement whereby the Commission granted Union Electric Company, d/b/a Ameren Missouri (Ameren Missouri), authority to transfer functional control of its electric transmission system to the Midwest Independent Transmission System Operator, Inc. (Midwest ISO). On September 9, 2008, the Commission issued its Order Approving Stipulation and Agreement in Case No. EO-2008-0134, wherein the Commission approved Ameren Missouri's continued participation in Midwest ISO on an interim and conditional basis for a term ending April 30, 2012.

7. On November 1, 2010, Ameren Missouri filed a pleading asking the Commission to extend its authority to continue the transfer of functional control of its electric transmission system to the Midwest ISO through December 31, 2013.

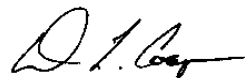
8. In response, the Commission issued its Order Providing Notice and Establishing Intervention Deadline and provided parties until November 24, 2010, to file applications to intervene.

9. Empire was a party Case No. EO-2003-0271 and Case No. EO-2008-0134. Empire has separately obtained the Commission's authority to transfer to the Southwest Power Pool, Inc. (SPP), conditional and interim functional control of certain transmission assets.

10. A transmission seam exists between SPP and Midwest ISO that impacts Empire's ability to sell power to and import power from east of SPP's footprint. As a result, Empire has an interest in Ameren Missouri's application that is different from that of the general public and that may be impacted by a final order in this case. Additionally, Empire's status as a public utility and its interests in the subjects of this case indicate that its intervention would serve the public interest.

WHEREFORE, Empire prays that the Commission issue its order granting it permission to intervene in the above-entitled matter.

Respectfully submitted,



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ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

CERTIFICATE OF SERVICE

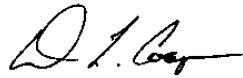
The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on November 10, 2010, to the following:

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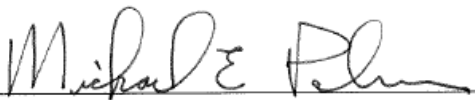
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VERIFICATION

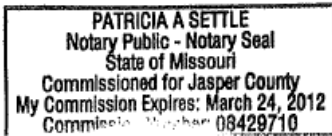
STATE OF MISSOURI)
) ss
COUNTY OF JASPER)


Being first duly sworn, Michael E. Palmer states as follows: that he is the Vice President – Commercial Operations of The Empire District Electric Company and that he has read the foregoing application and the facts and allegations contained therein are true and correct to the best of his knowledge, information and belief and that the law firm of Brydon, Swearingen & England P.C. is authorized by The Empire District Electric Company to make this filing and represent the Company in this matter.



Michael E. Palmer

Subscribed and sworn to before me this 8th day of November, 2010.





Notary Public