

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the matter of The Empire District	)	
Gas Company of Joplin, Missouri for	)	
Authority to File Tariffs Increasing	)	
Rates for Gas Service Provided to	)	GR-2009-0434
Customers in the Missouri Service	)	
Area of the Company.	)	

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 application for changes in its natural gas service rates made by The Empire District Gas Company ("Empire") on or about June, 5, 2009. 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 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.

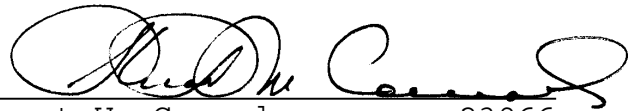
4. Pittsburgh Corning representatives have not completed review of Empire's application and a definitive position thereon cannot be stated at this time. However, for purposes of 4 C.S.R. 240-2.110 (13), Pittsburgh Corning states that it is opposed to non-cost based natural gas transportation rates and to terms and conditions of transportation that are not commercially reasonable or practicable.

5. 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 a special contract, 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.

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, 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 dark ink, appearing to read "Stuart W. Conrad", is written over a horizontal line.

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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.

  
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Stuart W. Conrad

Dated: July 2, 2009