

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
December 22, 2000**

CASE NO: ER-2001-299

Office of the Public Counsel
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Gary Duffy
Brydon, Swearngen & England, P. C.
P. O. Box 456
Jefferson City, MO 65102-0456

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

Uncertified Copies:

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric)	
Company's Tariff Sheets Designed to Implement)	<u>Case No. ER-2001-299</u>
a General Rate Increase for Retail Electric)	Tariff No. 200100518
Service Provided to Customers in the Missouri)	
Service Area of the Company.)	

ORDER GRANTING INTERVENTION

On November 3, 2000, Empire District Electric Company (Empire or Company) submitted to the Commission proposed tariff sheets intended to implement a general rate increase for electric service provided to retail customers in the Missouri service area of the Company. The proposed tariff sheets bear a requested effective date of December 3, 2000. The proposed electric service tariff sheets are designed to produce an annual increase of approximately 19.3 percent (\$41,467,926) in the Company's revenues. Together with its proposed tariff sheets and other minimum filing requirements, the Company also filed prepared Direct Testimony in support of its requested rate increase.

On November 13, 2000, Praxair, Inc. (Praxair), filed its application to intervene. In its application, Praxair states that it is a large, interruptible, industrial customer of Empire and that, as successor in interest to the Linde Division of the Union Carbide Corporation, Praxair operates a major air liquefaction and constituent gas production facility near Neosho, Missouri. Praxair asserts that

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it will be directly and, perhaps, adversely affected by any order entered by the Commission in this case. Because of Praxair's size and load factor, as well as the separate contracts and rate schedules governing Empire's interruptible service to Praxair, no other party can adequately represent Praxair's interests in this matter. Praxair further states that its interest herein differs from that of the general public and that the public interest would be best served by granting intervention. Praxair further asserts that many factors integral to this matter remain unsettled and require thorough investigation and analysis.

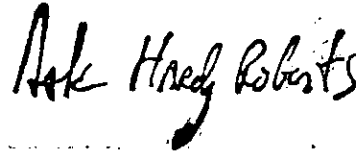
No party has objected to Praxair's application and the time for doing so has passed. Inasmuch as Praxair has satisfied the requirements of Rule 4 CSR 240-2.075, its application for intervention shall be granted.

IT IS THEREFORE ORDERED:

1. That Praxair, Inc., is granted intervention in this matter. Its counsel shall be added to the service list in this matter: Stuart W. Conrad, Esq., Finnegan, Conrad & Peterson, L.C., 3100 Broadway, Suite 1209, Kansas City, Missouri 64111.

2. That this order shall become effective on January 1, 2001.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin A. Thompson, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 22nd day of December, 2000.

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

**I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 22nd day of December 2000.**



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

