

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

In the Matter of the Request of The Empire)	
District Electric Company d/b/a Liberty for)	
Authority to File Tariffs Increasing)	Case No. ER-2021-0312
Rates for Electric Service Provided to)	
Customers in its Missouri Service Area)	

**APPLICATION TO INTERVENE OF THE
EMPIRE DISTRICT ELECTRIC SERP RETIREES**

COMES NOW The Empire District Electric SERP Retirees, LLC (“EDES”), pursuant to 20 CSR 4240-2.075 of the Missouri Public Service Commission’s Rules of Practice and Procedure, and for its Application to Intervene respectfully states as follows:

1. EDES is composed of certain retirees of Empire and their spouses; individuals who have earned, during their careers at Empire, certain SERP (Supplemental Executive Retirement Plan) post career benefits. These future benefits were integral to and were consideration promised in exchange for work already performed by the SERP retirees.

2. On May 28, 2021, the Empire District Electric Company filed tariffs to increase the rates that it charges for electric service in its service area. Included in the rates requested by Empire is reflection of the costs and the manner in which those costs are funded in order to fulfill Empire’s obligations to these SERP recipients.

3. The matters to be considered in this case and the Commission’s determinations therein, could have a direct and significant impact on the SERP retirees. Therefore, granting this proposed intervention to the Applicants would serve the public interest and would assist the Commission in development of a more complete record.

3. Applicant has a direct and immediate interest in these proceedings that is different from that of the general public. While Applicant does not, at this time, have sufficient information to assert a position on this investigation, it reserves the right to assert positions after it has had an adequate opportunity to examine the record, and any documentation of other parties filed herein.

4. Correspondence and communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

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WHEREFORE, having stated the grounds for intervention and the position and interest of the Applicant in these proceedings, Applicant asks that the Commission grant this Application for Intervention, and thereby entitle said Applicant to have notice of and to appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on the argument, and in all other respects to be made parties to this proceeding.

Respectfully submitted,

/s/ David L. Woodsmall
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ATTORNEY FOR THE EMPIRE DISTRICT
ELECTRIC SERP RETIREES, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.

A handwritten signature in black ink, appearing to read "David L. Woodsmall". The signature is written in a cursive style with a large initial "D".

David L. Woodsmall

Dated: June 14, 2021