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MISSOURI | KANSAS | ILLINOIS | WASHINGTON, DC | SHANGHAI | SYDNEY

ATTORNEYS AT LAW

April 15, 2002

UPS OVERNIGHT DELIVERY

Mr. Dale Hardy Roberts
Secretary
Missouri Public Service Commission
200 Madison Street
Jefferson City, MO 65101

FILED³

APR 16 2002


**Missouri Public
Service Commission**

**Re: In the Matter of the Application of Citizens Electric Corporation for
Approval of Interim Rates, Subject to Refund, and for a Permanent Rate
Increase, Case No. ER-2002-217, Tariff No. 200200335**

Dear Mr. Roberts:

Enclosed herewith, please find the original and 14 copies of the Application to Intervene out of time of Mississippi Lime Company in the above-captioned matter. I sincerely appreciate your cooperation in seeing that the enclosed are filed and brought to the attention of the Commission.

Very truly yours,



Byron E. Francis

BEF/lva
Enclosures
cc: Victor S. Scott
Office of the Public Counsel

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

In the Matter of the Application of Citizens Electric)	Case No. ER-2002-217
Corporation for Approval of Interim Rates, Subject to)	Tariff No. 200200335
Refund, and for a Permanent Rate Increase.)	

APPLICATION TO INTERVENE

Comes now Mississippi Lime Company, pursuant to 4 CSR 240-2.075, and for its
Application to Intervene out of time states as follows:

1. Mississippi Lime Company is a Missouri corporation with offices and facilities in Ste. Genevieve County, Missouri. The Mississippi Lime Company facility in Ste. Genevieve County is located at Highway 61, Ste. Genevieve, Missouri 63670.

2. All communications and pleadings in this docket should be directed to:

Byron E. Francis
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102
(314) 621-5070
(314) 621-5065 (facsimile)

3. On November 1, 2001, Citizens Electric Corporation submitted tariff sheets proposing to increase its rates for electric service provided to customers in its Missouri service area, including those customers residing in Ste. Genevieve County, Missouri. The tariffs bore a proposed effective date of December 1, 2001.

4. The Commission suspended the tariffs of Citizens Electric Company for a period of 120 days from the effective date of December 1, 2001 until March 31, 2002 and again for a period of six months from March 31, 2002 to September 30, 2002.

5. On December 28, 2001, the Commission approved tariff sheets on an interim basis subject to refund pending the Commission's full review during the course of the rate case.

6. By Order dated November 16, 2001, the Commission ordered that any proper person or entity desiring to intervene should file an application no later November 26, 2001. Due to the emergency nature of the rate increase requested by Citizens Electric Corporation, Mississippi Lime Company was unable, by November 26, 2001, to determine what impact, if any, the proposed rate increase would have upon it.

7. After the Order approving Stipulation and Agreement was entered by the Commission, Mississippi Lime Company had the opportunity to examine the tariffs proposed by Citizens Electric Corporation and to review the cost of service to it as a contract customer with Citizens Electric Corporation.

8. As a contract customer, Mississippi Lime Company has an interest in the proceeding which is different from that of the general public.

9. In light of the emergency nature of the proceeding, Mississippi Lime Company has good cause for its failure to file its application to intervene on or before the date established by the Commission.

10. Mississippi Lime Company neither supports nor opposes Citizens Electric Company's proposed rate increase, but supports the rate design with respect to such proposed tariffs as it relates to said increase with respect to contract customers.

11. Authorization to intervene for Mississippi Lime Company at this time would not prejudice any party to this case and would not delay these proceedings as Mississippi Lime

Company would be prepared to file direct testimony and proposed Findings of Fact and Conclusions of Law with respect to rate design on or before May 6, 2002 as directed in the procedural schedule established in this case and to meet all other deadlines imposed by the Commission.

WHEREFORE, Mississippi Lime Company requests this Commission to grant its Application to Intervene out of time.

Respectfully submitted,

ARMSTRONG TEASDALE LLP

By: 

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Attorneys for
Mississippi Lime Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent by overnight delivery on the 18th day of April, 2002 to:

Victor Shane Scott
Andereck, Evans, Milne, Peace & Johnson,
Marmaduke House
700 East Capitol
Post Office Box 1438
Jefferson City, MO 65102-1280

Office of the Public Counsel
Post Office Box 7800
Jefferson City, MO 65102

