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

| In the Matter of the Application of The  | ) |                       |
|--|---|-----------------------|
| Empire District Electric Company for a   | ) | File No. EA-2019-0118 |
| Certificate of Convenience and Necessity | ) |                       |
| Related to its Customer Savings Plan     | ) |                       |

## MISSOURI DIVISION OF ENERGY APPLICATION TO INTERVENE

COMES NOW the Missouri Department of Economic Development – Division of Energy ("DE") and, pursuant to Missouri Public Service Commission ("Commission") Rule 4 CSR 240-2.075, respectfully requests that the Commission grant intervention to DE in the above-styled matter. For its Motion to Intervene, DE states as follows:

- 1. On November 18, 2018, The Empire District Electric Company ("Empire") filed an application with the Commission seeking an order granting a Certificate of Convenience and Necessity ("CCN") pursuant to section 393.170, RSMo 2016, and Commission Rules 4 CSR 240-2.060 and 4 CSR 240-3.105. The CCN would authorize Empire to acquire an interest in a holding company that owns the company that will be constructing and installing a wind project in Neosho County, Kansas, comprising approximately 300 megawatts of wind generation. In addition, the CCN would authorize Empire to own, operate, maintain, and otherwise control and manage the wind project. Empire states that this project is the result of a related proceeding before the Commission in File No. EO-2018-0092. DE is a party in File No. EO-2018-0092.
- 2. On November 19, 2018, the Commission issued an *Order Directing Notice*, Setting Intervention Deadline, and Setting Time for Responses which established an intervention deadline of no later than December 10, 2018.

3. DE is a state agency vested with the powers and duties set forth in § 620.035 RSMo. DE's interests are different than those of the general public, as illustrated by its statutory authority to: (1) plan for future energy needs and energy resource development; (2) monitor and analyze all federal, state, local and voluntarily disclosed private sector energy research projects and voluntarily disclosed private sector energy related data and information concerning supply and consumption; (3) develop, promote, administer and monitor energy conservation programs; (4) consult and cooperate with all state and federal governmental agencies, departments, boards and commissions and all other interested agencies and institutions, governmental and nongovernmental, public and private, on matters of energy research and development, management, conservation and distribution; and (5) analyze the potential for increased use of diverse energy sources, energy efficient technologies, and other energy alternatives and make recommendations for the expanded

- 4. DE expects to develop its positions on specific issues as this case proceeds.
- 5. Communications, correspondence, orders and decision in this matter should be addressed to the undersigned.

use of such alternate energy sources and technologies.

WHEREFORE, the Division of Energy respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

Is/ Michael Lanahan

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Attorney for Missouri Department of

Economic Development – Division of Energy

## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been served electronically on all counsel of record this  $4^{th}$  day of December, 2018.

| /s/ Michael Lanahan |  |
|---------------------|--|
| Michael Lanahan     |  |