

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

In the Matter of the Empire District Electric)	
Company's Application Concerning Demand-)	<u>Case No. EO-2012-0206</u>
Side Programs and a Demand-Side Program)	
Investment Mechanism)	

APPLICATION TO INTERVENE

COMES NOW Wal-Mart Stores East, L.P. and Sam's East, Inc. (collectively referred to as "Wal-Mart") pursuant to 4 C.S.R. 240-2.075 and applies to intervene herein. In support thereof, Wal-Mart respectfully states as follows:

1. Wal-Mart is a large commercial electric customer of the Empire District Electric Company ("Empire"). Wal-Mart owns numerous retail facilities in Empire's service territory.
2. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

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3. On February 28, 2012 Empire filed this application to gain approval of certain new and existing Demand-Side Management ("DSM") programs and establish a DSM investment mechanism pursuant to §393.1075 RSMO, known as the Missouri Energy Efficiency Investment Act ("MEEIA"), and Commission rules 4 CSR 240-3.163, 4 CSR 240-3.164, 4 CSR 240-20.093, and 4 CSR 240-20.094.

4. Wal-Mart is interested in and, may now or in the future, be affected by the relief sought by Empire. Wal-Mart's interest is direct, immediate, unique, different from that of the

general public, and will not or cannot adequately be represented by any other party. Therefore, it will aid the Commission and protect and advance the public interest that Wal-Mart be permitted to intervene in this proceeding to protect its interest.

WHEREFORE, Wal-Mart prays: (a) that it be permitted to intervene herein and be made a party hereto with all rights to have notice of and participate in hearings to present evidence, cross-examine witnesses, file briefs and participate in argument, should any be had; and (b) for all other needful and proper relief appropriate in the premises.

Respectfully submitted,

WOODSMALL LAW OFFICE

/s/ David Woodsmall

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ATTORNEY FOR WAL-MART

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have that the foregoing pleading has been served by electronic means on all parties of record as reflected in the records maintained by the Secretary of the Commission through the EFIS system.

David Woodsmall

Dated: March 9, 2012