

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

In the Matter of a Proceeding Under	)	
Section 393.137 (SB 564) to Adjust	)	Case No. ER-2018-0366
the Electric Rates of The Empire	)	
District Electric Company	)	

**MISSOURI DIVISION OF ENERGY**  
**APPLICATION TO INTERVENE**

COMES NOW the Missouri Department of Economic Development, Division of Energy<sup>1</sup> (“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 June 6, 2018, the Commission issued an order opening this case to adjust the rates of The Empire District Electric Company as provided for in Section 393.137 RSMo.

2. DE is a state agency vested with the powers and duties set forth in § 640.150 RSMo.

3. DE’s interests are different than those of the general public, as illustrated by its statutory authority to plan for future energy needs and energy resource development; develop, promote, administer and monitor energy conservation programs;<sup>2</sup> promote economic development; consult and cooperate with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; and analyze the potential for increased use

---

<sup>1</sup> The Division of Energy was transferred from the Department of Natural Resources (DNR) to the Department of Economic Development (DED) on August 29, 2013 by Executive Order 13-03. The Executive Order transfers “[A]ll authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development...”

<sup>2</sup> §§ 640.676 and 640.150 RSMo

of energy alternatives and make recommendations for the expanded use of such alternate energy sources and technologies.<sup>3</sup>

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 with a copy to DEDEnergyCases@ded.mo.gov.

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

Respectfully submitted,

*Marc Poston*

---

Marc Poston, MBN #45722  
Senior Counsel  
Department of Economic Development  
P.O. Box 1157  
Jefferson City, MO 65102  
(573) 751-5558  
[marc.poston@ded.mo.gov](mailto:marc.poston@ded.mo.gov)  
**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 13<sup>th</sup> day of June 2018.

*Marc Poston*

---

Marc Poston

---

<sup>3</sup> § 640.150.1 RSMo.