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July 14, 2003

Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED²
JUL 14 2003
Missouri Public
Service Commission

RE: Case No. EO-2003-0566

Dear Mr. Roberts:


Enclosed please find an original and eight copies of an Application to Intervene filed on behalf of The Empire District Electric Company. Please file stamp the enclosed extra receipt copy and return to me for my records.

If you have any questions concerning this matter, then please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:


James C. Swearngen *JCS*

JCS/tli

Enclosures

cc: Office of the General Counsel
Office of the Public Counsels
David Hennen
Karl Zobrist

FILED²

JUL 14 2003

**Missouri Public
Service Commission**

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

In the Matter of Aquila, Inc. d/b/a Aquila Networks - MPS)
and Aquila Networks - L&P's Application to Join the) Case No. EO-2003-0566
Midwest Independent Transmission System Operator, Inc.)

APPLICATION TO INTERVENE

COMES NOW The Empire District Electric Company ("Empire"), pursuant to Missouri Public Service Commission ("Commission") Rule 4 CSR 240-2.075, and states as follows as its Application to Intervene:

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri 64801. Empire is engaged in the business of providing electric and water utility services in Missouri to customers in its service areas and has a certificate of service authority to provide certain telecommunications services.
2. Empire is an "electrical corporation," a "water corporation," a "telecommunications company" and a "public utility" as those terms are defined in Section 386.020 RSMo 2000, and is subject to the jurisdiction and supervision of the Commission as provided by law.
3. Empire has pending or final judgments or decisions against it from state or federal regulatory agencies or courts which involve customer service occurring within the three (3) years immediately preceding the filing of this application. Empire has no overdue Commission annual reports or assessment fees.
4. Empire's documents of incorporation were filed with the Commission in Case No. EF-94-39 and said documents are incorporated herein by reference in accordance with 4 CSR

240-2.060(1)(G). A Certificate of Authority from the Missouri Secretary of State to the effect that Empire, a foreign corporation, is authorized to do business in the State of Missouri, was filed with the Commission in Case No. EM-2000-369 and is incorporated by reference.

5. Pleadings, notices, orders and other correspondence and communications concerning this application should be addressed to the undersigned counsel and:

Mr. Mike Palmer
Vice President of Commercial Operations
The Empire District Electric Company
602 Joplin Street
P.O. Box 127
Joplin, MO 64802
Telephone: (417) 625-4250
Facsimile: (417) 625-5153
E-mail: mpalmer@empiredistrict.com

6. On June 20, 2003, Aquila, Inc. d/b/a Aquila Networks - MPS and Aquila Networks - L&P filed an application concerning its proposed participation in the Midwest ISO. The Commission issued an Order and Notice on June 30, 2003, which, among other things, directed that any interested party wishing to intervene in this case file an application no later than July 14, 2003.

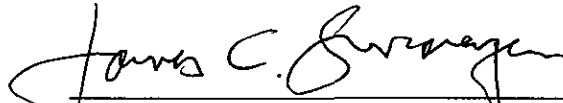
7. As an electric public utility subject to the jurisdiction of both this Commission and FERC, Empire has an interest in this matter and whatever recommendations may be submitted by Staff and the ultimate decision of the Commission as these matters may have an impact upon whatever decision Empire may make in regard to RTO/ISO participation. Accordingly, Empire's interest in this proceeding is different from that of the general public and may be adversely affected by a final Commission Order in this matter.

8. Empire seeks to intervene in this matter for the purpose of addressing whatever

conditions may be proposed by the parties. Empire is unsure what position it may take as to the issues that may be raised in this matter.

WHEREFORE, Empire prays that the Commission issue its order granting it permission to intervene in the above-entitled matter.

Respectfully submitted,



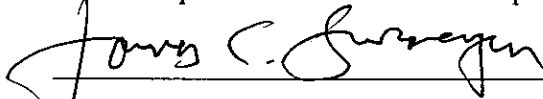
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(573) 635-7166
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dcooper@brydonlaw.com

ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

VERIFICATION

State of Missouri)
) ss
County of _____)

James C. Swearngen being first duly sworn, deposes and states that the aforesaid application is true and correct to the best of his knowledge, information, and belief and that he is authorized to make this statement on behalf of The Empire District Electric Company.

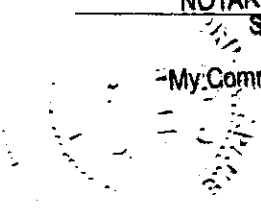


Subscribed and sworn to before me this 14~~th~~ day of July, 2003.



Notary Public

My Commission expires:


DORIS K. ADAMS
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
COUNTY OF COLE
-My Commission Expires May 20, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was, on this 14th day of July, 2003, sent via U.S. Mail, postage prepaid, or hand delivered, to the following:

Office of the Public Counsel
Governor State Office Building
6th Floor
Jefferson City, MO 65101

Office of the General Counsel
Governor State Office Building
8th Floor
Jefferson City, MO 65101

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