

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

In the Matter of The Empire District Electric)
Company, Liberty Utilities (Central) Co. and)
Liberty Sub Corp. Concerning an Agreement and)
Plan of Merger and Certain Related Transactions)
File No. EM-2016-0213

**MISSOURI DIVISION OF ENERGY'S
MOTION TO INTERVENE**

COMES NOW the Missouri Department of Economic Development –
Division of Energy¹ (“DE”) and, pursuant to Commission Rule 4 CSR 240-2.075,
respectfully requests that the Missouri Public Service Commission (“Commission”) grant
intervention to DE in the above-styled matter. For its Motion to Intervene, DE states as
follows:

1. On March 16, 2016, The Empire District Electric Company (“Empire”) Liberty Utilities (Central) Co. (“LU Central”) and Liberty Sub Corp. filed a joint application asking the Commission to approve a transaction in which LU Central would acquire all of the common stock of Empire. On March 16, 2016, the Commission issued its *Order Directing Notice and Setting Intervention Date*, which set an intervention deadline of April 14, 2016.

1. DE is a state agency vested with the powers and duties set forth in, *inter alia*, §§ 640.150 and 640.676 RSMo.

¹ On August 28, 2013, Executive Order 13-03 transferred “all 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 . . . ”

2. 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;² 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 of energy alternatives and make recommendations for the expanded use of such alternate energy sources and technologies.³ DE's intervention, moreover, will serve a public interest, as DE will evaluate the filings from a formal state policy and planning perspective consistent with its interests in clean, affordable, abundant energy, and its efficient use.

3. DE expects to develop its positions on specific issues as this case proceeds.

4. Communications, correspondence, orders, and decision in this matter should be addressed to the undersigned with a copy to DEDEnergyCases@ded.mo.gov

WHEREFORE, the Missouri Department of Economic Development – Division of Energy respectfully requests that it be allowed to intervene in this case.

Respectfully submitted,

/s/ Alexander Antal

Alexander Antal

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² §§ 640.676 and 640.150.2 RSMo.

³ § 640.150.1 RSMo.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served electronically on all counsel of record this 28th day of March, 2016.

/s/ Alexander Antal
Alexander Antal