

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

In the Matter of Kansas City Power & Light)
Company's Request for Authority to Implement) Case No. ER-2012-0174
a General Rate Increase for Electric Service)

EMPIRE'S APPLICATION TO INTERVENE

COMES NOW The Empire District Electric Company ("Empire"), by counsel and pursuant to 4 CSR 240-2.075, and for its Application to Intervene in the above-captioned proceeding, respectfully states as follows to the Missouri Public Service Commission (the "Commission"):

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri, 64802. Empire is qualified to conduct business and is conducting business in the states of Missouri, Kansas, Arkansas, and Oklahoma. Empire is engaged, generally, in the business of generating, purchasing, transmitting, distributing and selling electric energy in portions of said states. Empire also provides water service and, through its subsidiary, natural gas distribution service in Missouri. Empire's Missouri operations are subject to the jurisdiction of the Commission as provided by law. A certified copy of Empire's Restated Articles of Incorporation, as amended, was filed in Case No. EF-94-39 and is incorporated herein by reference in accordance with Commission rule 4 CSR 240-2.060(1)(G). A Certificate from the Missouri Secretary of State that Empire, a foreign corporation, is authorized to do business in Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated by reference in accordance with Commission rule 4 CSR 240-2.060(1)(G). This information is current and correct. Empire has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates, other than the following pending action: Karen J. Brooks, et al. v. The Empire

District Electric Company, Jasper County Case No. 11AO-CC00385. Empire's annual report and assessment fees are not overdue.

2. Communications relating to this application to intervene and this proceeding should be directed to the undersigned counsel and to the following:

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Vice President – Energy Supply
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3. On February 27, 2012, Kansas City Power & Light Company (“KCPL”) filed tariffs seeking a general rate increase for electric service (Tariff Tracking No. YE-2012-0404, Case No. ER-2012-0174). The effective date of these tariffs was suspended by the Commission until January 26, 2013. Pursuant to the Commission’s order issued herein on February 28, 2012, applications to intervene were to be filed in this matter by March 19, 2012. At that time, Empire did not believe intervention in this matter would be necessary or proper. Pursuant to the order of the Commission issued herein on April 26, 2012, parties other than KCPL shall file non-rate design direct testimony on August 2, 2012, and the evidentiary hearing shall take place in October of 2012.

4. KCPL, KCP&L Greater Missouri Operations Company (“GMO”), and Empire filed a joint application with the Commission on March 9, 2012, regarding certain leases and agreements regarding common facilities at the Iatan Generating Station (Case No. EO-2012-0015). The Staff of the Commission filed its recommendation in that matter on June 4, 2012, recommending, in part, that the Commission in that proceeding make “no accounting or ratemaking determination regarding the treatment of the Unit 2 Ground Lease and the Nower

Property Lease.” The Staff also stated that it reserved the right “to propose in KCPL and GMO’s current rate cases, File Nos. ER-2012-0174 and ER-2012-0175, and in Empire’s next rate case, what the Staff believes to be fair and equitable ratemaking treatment, regarding treatment of the lease transactions.” Staff further stated:

Any outstanding questions respecting KCPL’s, GMO’s, and Empire’s filing would be decided in KCPL’s and GMO’s pending rate cases, File Nos. ER-2012-0174 and ER-2012-0175, respectively, and Empire’s next rate case.

By order issued on June 20, 2011, to be effective June 30, 2011, in Case No. EO-2012-0015, the Commission granted the joint application of KCPL, GMO, and Empire, with clarifications as suggested by Staff.

5. Due to the Staff’s recommendations and the Commission’s order in Case No. EO-2012-0015, as outlined above in paragraph 4, Empire now has an interest in this rate case proceeding that is different from that of the “general public” and which may be adversely affected by a final order in this case. Further, granting intervention to Empire at this time would serve the public interest, as it would allow Empire to monitor and participate in discussions related to ratemaking treatment for the subject lease transactions at the earliest opportunity. Accordingly, Empire should be allowed to intervene in this proceeding.

6. If Empire’s Application to Intervene is granted herein, Empire intends to fully participate in this matter only with respect to the issues referenced in paragraph 4 above. A detailed statement of position and identification of issues with respect to this proceeding may be submitted by Empire in accordance with any procedural schedule.

7. This Application to Intervene has been discussed with counsel for KCPL, GMO, the Staff of the Commission, and the Office of the Public Counsel. Counsel for KCPL and GMO and counsel for the Office of the Public Counsel stated that they do not object to Empire being allowed to intervene in this proceeding at this time. Counsel for the Staff of the Commission

stated that Staff does not oppose Empire intervening for the limited purpose of the issue of the ratemaking treatment of the leases and agreements regarding the common facilities at Iatan.

WHEREFORE, for the reasons stated herein, Empire respectfully requests that the Commission issue an order permitting it to intervene in this case with full rights as a party hereto.

Respectfully submitted,

/s/ Diana C. Carter

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ATTORNEYS FOR THE EMPIRE
DISTRICT ELECTRIC COMPANY

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic transmission to all counsel of record on this 25th day of June, 2012.

/s/ Diana C. Carter