

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 15th day
of May, 2013.

In the Matter of The Empire District Electric)
Company's 2013 Utility Resource Filing)
Pursuant to 4 CSR 240-22)

File No. EO-2013-0405

ORDER DENYING INTERVENTION

Issue Date: May 15, 2013

Effective Date: June 14, 2013

On February 28, 2013, The Empire District Electric Company ("Empire") filed with the Missouri Public Service Commission ("Commission") an *Application for Waiver/Extension* requesting that the Commission grant it a waiver of Commission Rules 4 CSR 240-22.080(1) and 4 CSR 240-22.080(5)(A) and an extension of the date for filing its 2013 Integrated Resource Plan ("IRP") until July 1, 2013. The Commission granted the application on March 20, 2013 and directed Empire to file its 2013 Integrated Resource Plan no later than July 1, 2013.

On April 24, 2013, Earth Island Institute d/b/a Renew Missouri ("Renew Missouri") filed an application to intervene. That application states that Renew Missouri has an interest relating to energy efficiency and demand-side management ("DSM") programs in Missouri and requests intervention in order to review Empire's DSM Potential Study and initial DSM program measure screenings and provide input to the utility and other stakeholders. Renew Missouri states that good cause exists to grant

the application, even though the 30-day period for intervention requests in Commission Rule 4 CSR 240-2.075(1) has expired.

Empire objected to Renew Missouri's application to intervene. Empire asserts that allowing Renew Missouri to intervene will serve no purpose regarding the 2013 IRP. Empire states that at this time the stakeholder input process has been completed and no further changes are anticipated prior to the submission of the IRP by July 1, 2013. Empire argues that Renew Missouri will have an opportunity to intervene and participate in the IRP process once that IRP has been filed.

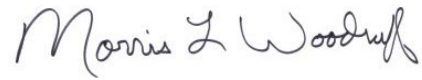
Commission Rule 4 CSR 240-2.075 governs the procedures by which an individual or entity may intervene in a case ("the intervention rule"). The purpose of the rule is to allow individuals or entities to intervene in contested cases where relief is being sought. The Commission notes that despite the caption of this case, the purpose of the case was to address Empire's application for waiver or extension, which the Commission has previously granted. The intervention rule is not the appropriate mechanism for Renew Missouri to participate in Empire's 2013 IRP. When Empire makes its next IRP filing, the Commission will direct notice and give Renew Missouri an opportunity to participate as a stakeholder in that new case.

THE COMMISSION ORDERS THAT:

1. Earth Island Institute d/b/a Renew Missouri's motion for leave to intervene is denied.

2. This order shall become effective on June 14, 2013.
3. This file number may be closed on June 15, 2013.

BY THE COMMISSION

A handwritten signature in dark ink, reading "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

R. Kenney, Chm., Jarrett and
W. Kenney, CC., concur.
Stoll, C., absent.

Bushmann, Regulatory Law Judge