BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Empire District Electric Company's Application for Variance Concerning Commission Rule 4 CSR 240-22.080

File No. EE-2012-0095

ORDER GRANTING THE MISSOURI DEPARTMENT OF NATURAL RESOURCES' APPLICATION TO INTERVENE

Issue Date: November 1, 2011 Effective Date: November 1, 2011

On September 29, 2011, The Empire District Electric Company filed an application in which it asks the Commission to grant it a variance or waiver from certain provisions of the Commission's resource planning rules. In a subsequent order, the Commission provided notice of Empire's filing and established October 17 as the deadline for interested parties to apply to intervene.

The Missouri Department of Natural Resources (MDNR) applied to intervene on October 17. MDNR is a state agency interested in energy management and conservation issues. More than ten days have passed since MDNR applied to intervene and no party has objected to that application.

The Commission finds that the interest of MDNR in this case is different from that of the general public, and may be adversely affected by a final order arising from this case. Furthermore, the Commission finds that allowing MDNR to intervene will serve the public interest. Therefore, in accordance with Commission Rule 4 CSR 240-2.075(3), the Commission will grant the application to intervene.

THE COMMISSION ORDERS THAT:

1. The Missouri Department of Natural Resources' Application to Intervene is

granted.

2. This order shall become effective immediately upon issuance.

BY THE COMMISSION

Steven C. Reed Secretary

(SEAL)

Morris L. Woodruff, Chief Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 1st day of November, 2011.