

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

In The Matter of The Empire District Gas)	
Company of Joplin, Missouri for Authority to)	
File Tariffs Increasing Rates for Gas Service)	<u>File No. GR-2009-0434</u>
Provided to Customers in the Missouri Service)	Tariff No. YG-2009-0855
Area of the Company.)	

**MISSOURI DEPARTMENT OF NATURAL RESOURCES' APPLICATION TO
INTERVENE**

COMES NOW Missouri Department of Natural Resources ("MDNR") and, pursuant to Commission Rule 4 CSR 240-2.075, respectfully requests that the Commission issue its order granting MDNR's Application to Intervene. For its Application, MDNR states as follows:

1. On June 5, 2009, Aquila, The Empire District Gas Company submitted to the Missouri Public Service Commission ("Commission") proposed tariffs seeking to implement a general rate increase for retail natural gas service. By Order dated June 12, 2009, the Commission issued its Suspension Order and Notice Order Setting Hearings, And Order Directing Filing. In it's June 12, 2009 Order, the Commission established an intervention deadline of July 2, 2009.

2. MDNR, and specifically its Energy Center, is a state agency vested with the powers and duties set forth in Section 640.150, RSMo.

3. MDNR has an interest different than that of the general public, and its intervention will serve a public interest in that the Energy Center will be looking at the proposed filing from a formal policy and planning perspective as well as looking at the potential impacts on environmental quality. The Energy Center's review also will be in

relation to the mandate set forth in Section 640.150, RSMo. The mandate set forth in the statute includes planning for energy resource development; analyzing energy management issues; consulting and cooperating with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; assessing the potential impacts on environmental quality; and analyzing the potential for increased use of energy alternatives and making recommendations for the expanded use of such alternate energy sources and technologies.

WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

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Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or e-mailed to all counsel of record this 1st day of July, 2009.

/s/ Sarah B. Callier
Sarah B. Callier