

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

In the Matter of the Application of)	
KCP&L Greater Missouri Operations)	
Company for Authority to Transfer Functional)	Case No. EO-2009-0179
Control of Certain Transmission Assets)	
To the Southwest Power Pool, Inc.)	

EMPIRE’S APPLICATION TO INTERVENE

COMES NOW The Empire District Electric Company (Empire), and, pursuant to Missouri Public Service Commission (Commission) Rule 4 CSR 240-2.075, states as follows:

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street (P.O. Box 127), Joplin, Missouri 64801 (64802). Empire is engaged in the business of providing electric and water utility services in Missouri to customers in its service areas and has a certificate of service authority to provide certain telecommunications services.

2. Empire is an “electrical corporation,” a “water corporation,” a “telecommunications company” and a “public utility” as those terms are defined in Section 386.020 RSMo 2000, and is subject to the jurisdiction and supervision of the Commission as provided by law.

3. Empire has no pending or final judgments or decisions against it from state or federal regulatory agencies or courts which involve customer service occurring within the three (3) years immediately proceeding the filing of this application. Empire has no overdue Commission annual reports or assessment fees.

4. Empire’s documents of incorporation were filed with the Commission in Case No. EF-94-39 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). A Certificate of Authority from the Missouri Secretary of State to the effect

that Empire, a foreign corporation, is authorized to do business in the State of Missouri, was filed with the Commission in Case No. EM-2000-369 and is also incorporated by reference.

5. Pleadings, notices, orders and other correspondence and communications concerning this application should be addressed to the undersigned counsel and:

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6. On November 12, 2008, KCP&L Greater Missouri Operations Company, formerly Aquila, Inc. (KCP&L-GMO), filed an application to transfer functional control of KCP&L-GMO's transmission system, 60kV and above, to the Southwest Power Pool, Inc. (SPP).

7. On November 17, 2008, the Commission issued its Order Directing Notice and Setting Deadline for Intervention. Therein, the Commission ordered that applications for intervention be filed no later than December 7, 2008.

8. Empire has previously received the Commission's authority to transfer to the SPP conditional and interim functional control of certain transmission assets. SPP launched its Energy Imbalance Services Market and began dispatching wholesale electricity on February 1, 2007. Empire further is a joint owner with KCP&L- GMO in the Iatan I and Iatan II base load projects.

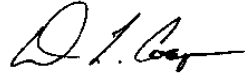
9. KCP&L-GMO's participation, or non-participation, in SPP will likely have an impact upon Empire's operations its ability to sell power to and import power. As a result, Empire has an interest in KCP&L-GMO's Application that is different from that of the general

public and that may be impacted by a final order in this case. Additionally, Empire's status as a public utility and its interests in the subjects of this case indicate that its intervention would serve the public interest.

10. It is likely that Empire will support the relief sought by KCP&L-GMO's Application.

WHEREFORE, Empire prays that the Commission issue its order granting it permission to intervene in the above-entitled matter.

Respectfully submitted,



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ATTORNEYS FOR THE EMPIRE DISTRICT
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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on November 19, 2008, to the following:

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