

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

In the Matter of The Empire District)
Electric Company’s Application for)
Approval of a Transmission Electrification) File No. ET-2020-0390
Portfolio for Electric Customers in its)
Missouri Service Area.)

APPLICATION TO INTERVENE
OF THE MISSOURI PROPANE GAS ASSOCIATION

COMES NOW the Missouri Propane Gas Association (“MPGA”), by and through counsel, pursuant to Commission Rule 4 CSR 4240-2.075, and respectfully files its Application to Intervene in this matter. In support of this Application, MPGA states as follows:

1. On November 29, 2020, the Empire District Electric Company (“Empire”) filed an Application for approval of a portfolio of transportation electrification pilot programs and accounting treatment pursuant to RSMo. §393.140(8) (“Application”).
2. MPGA is a not-for-profit trade association representing its local propane provider members and affiliated businesses who sell propane or propane appliances and equipment in Missouri. Through advocacy, education, and leadership, MPGA assists its members by supporting beneficial public policy, promoting safety education, and raising public awareness of the benefits of propane.
3. Correspondence, communications, orders, and the decision in this matter should be addressed to:

Terry M. Jarrett
Healy Law Offices, LLC
514 E. High St., Suite 22
Jefferson City, Missouri 65101
Telephone: (573) 415-8379
Facsimile: (573) 415-8379
terry@healylawoffices.com

4. On December 1, 2020, the Commission issued its *Order Directing Notices, A Staff Recommendation, and Setting a Deadline for Intervention Applications*. In that Order, the Commission stated that any application to intervene shall be filed no later than December 30, 2020.

5. In its Application, Empire proposes a portfolio of transportation electrification pilot programs designed to accelerate electric technology adoption. According to Empire, this pilot portfolio is divided into three components: the On-Road Component, the Non-Road Component, and the Administrative Component.

6. The Non-Road Component provides cash and non-cash incentives to support the deployment of electric charging infrastructure for several non-road applications, including electric forklifts.

7. MPGA members are small business owners. They have payrolls to meet and bills to pay and exist to provide safe and affordable propane products and services to their customers.

8. In some instances, MPGA propane provider members compete with investor-owned electric utilities for customers. For example, many of MPGA's members provide propane for heavy equipment, like forklifts. They can be powered by propane or electricity. That means there is competition for customers between propane providers and providers of electricity.

9. When it comes to providing power for forklifts, MPGA members directly compete for customers with Empire in Empire's service territory. MPGA has direct and immediate interests in this proceeding that are different than the general public and those interests are not currently represented in this matter. Further, a Commission decision to approve the pilot program may have an adverse impact on MPGA and its members.

10. Quite simply, all the propane dealers are asking for from this Commission is a chance to compete fairly on a level playing field. If a Commission-regulated electric utility like Empire is allowed to provide incentives for forklift users to buy new electric forklifts instead of propane forklifts, or switch to electric forklifts from propane forklifts, then the competitive balance could be skewed to the electric utility's favor. The proposed incentives program could negatively impact MPGA's member propane providers. MPGA opposes any proposal that would interfere with free market competition.

WHEREFORE, MPGA respectfully requests that the Commission grant its Application to Intervene on its behalf and on behalf of its members, entitling it to fully participate in this proceeding.

Respectfully submitted,

HEALY LAW OFFICES, LLC



Terry M. Jarrett, MO Bar No. 45663

514 E. High St., Suite 22
Jefferson City, Missouri 65101
Telephone: (573) 415-8379
Facsimile: (573) 415-8379
terry@healylawoffices.com

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties on the official service list for this case on this 16th day of December, 2020.



Terry M. Jarrett