

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the First Prudence Review of)
Costs Subject to the Commission-Approved Fuel) **Case No. EO-2009-0115**
Adjustment Clause of Aquila, Inc., d/b/a KCP&L)
Greater Missouri Operations Company)

ORDER GRANTING THE EMPIRE DISTRICT ELECTRIC COMPANY'S APPLICATION TO INTERVENE

Issue Date: October 27, 2008

Effective Date: October 27, 2008

On September 26, 2008, the Commission's Staff filed a notice indicating commencement of its prudence audit of the fuel adjustment clause established by the Commission for Aquila, Inc. d/b/a KCP&L Greater Missouri Operations Company. The Commission provided notice of Staff's filing to potentially interested parties and established October 29 as the deadline for potential parties to file applications to intervene.

The Empire District Electric Company filed an application to intervene on October 14. More than ten days have passed since Empire filed its application to intervene and no party has objected to that application.

Commission Rule 4 CSR 240-2.075(4) provides that the Commission may grant an application to intervene if: "(A) The proposed intervenor has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or (B) Granting the proposed intervention would serve the public interest." Empire operates under a Commission-approved fuel adjustment clause that is similar to Aquila's fuel adjustment clause. Therefore, Empire has an interest in how the Staff and this Commission interpret Aquila's fuel adjustment clause. As a result, the Commission finds

that Empire's interest 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 Empire to intervene will serve the public interest. Therefore, the Commission will grant Empire's application to intervene.

THE COMMISSION ORDERS THAT:

1. The Empire District Electric Company's Application to Intervene is granted.
2. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 27th day of October, 2008.