

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

In the Matter of the Application of	)	
The Empire District Electric Company	)	
For Authority to Transfer Functional Control	)	Case No. EO-2006-0141
of Certain Transmission Assets to the	)	
Southwest Power Pool, Inc.	)	

APPLICATION TO INTERVENE

COMES NOW Aquila, Inc. ("Aquila"), pursuant to Missouri Public Service Commission ("Commission") Rule 4 CSR 240-2.075 and, for its Application to Intervene in the referenced case, states as follows:

1. Aquila is a Delaware corporation with its principal office and place of business at 20 West Ninth Street, Kansas City, Missouri 64105. Through its Aquila Networks – MPS and Aquila Networks – L&P operating divisions, Aquila is engaged in providing electrical, natural gas and industrial steam services in those areas that the State certificated to it by the Commission. As such, Aquila is an "electrical corporation," a "gas corporation," a "heating company" and a "public utility" as those terms are defined in §386.020 RSMo 2000, and is subject to the jurisdiction and supervision of the Commission as provided by law.

2. Aquila has pending actions or final unsatisfied judgments or decisions against it involving customer service or rates having occurred within three (3) years from the date of this Application.

3. Aquila has no annual report or assessment fees that are overdue.

4. A Certificate of Authority for a foreign corporation to do business in the State of Missouri evidencing Aquila's authority under law to conduct business in the State of Missouri was filed with the Commission in Case No. EU-2002-

1053 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). Likewise, copies of the registrations of the fictitious names of Aquila Networks – MPS and Aquila Networks – L&P were filed in Case No. EU-2002-1053 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G).

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

Carl Huslig
Aquila, Inc.
10700 East 350 Hwy
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6. On or about September 28, 2005, The Empire District Electric Company filed an Application concerning its proposed participation in the Southwest Power Pool, Inc. The Commission issued an Order Directing Notice of Tax Impact on October 6, 2005.

7. As an electric public utility subject to the jurisdiction of both this Commission and the Federal Energy Regulatory Commission, Aquila has an interest in this matter and whatever recommendations may be submitted by Staff and the ultimate decision of the Commission as those matters might have an impact on Aquila's agreement to join the Midwest Independent Transmission System Operator, Inc. Accordingly, Aquila's interest in this proceeding is

different from that of the general public and may be adversely affected by a final Commission order in this matter.

8. Aquila seeks to intervene in this matter for the purpose of addressing whatever conditions may be proposed by the parties. Aquila is unaware of what position it may take as to the issues that may be raised in this matter.

WHEREFORE, Aquila prays that the Commission issues an Order granting it permission to intervene in the above entitled matter.

Respectfully Submitted,

/s/ Paul A. Boudreau

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Attorneys for Applicant, Aquila, Inc.

VERIFICATION

STATE OF MISSOURI)
) ss
COUNTY OF)

I, Keith Stamm, having been duly sworn upon my oath,
state that I am the Chief Operating Officer; that I am duly authorized
to make this Affidavit on behalf of Aquila, Inc.; and that the matters and things
stated in the foregoing Application to Intervene are true and correct to the best of
my information, knowledge and belief.

Keith Stamm

Corporate Officer

Subscribed and sworn to before me this 17th day of October,
2005.

Shelly R. Loulos

Notary Public

My Commission expires:

2-24-06



SHELLY R. LOULOS
Jackson County
My Commission Expires
February 24, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail, first class mail or by hand delivery, on this 18th day of October, 2005 to the following:

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/s/ Paul A. Boudreau