

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

In the Matter of the Tariff Filing of Aquila, Inc.)	
To Implement a General Rate Increase for)	Case No. HR-2005-0450
Retail Steam Heat Service Provided to Customers)	
In its L&P Missouri Service Area.)	

APPLICATION TO INTERVENE

COMES NOW The Empire District Electric Company ("Empire"), pursuant to 4 CSR 240-2.075, and for its Application to Intervene respectfully states as follows:

1. Empire is a Kansas corporation and is an "electrical corporation" and a "public utility" authorized by this Commission to provide electric service pursuant to Commission approved tariffs in Empire's Commission-certificated service area in southwest Missouri. Empire's mailing address is 602 Joplin Street, Joplin, Missouri 64801, telephone number (417) 625-6188, fax number (417) 625-5153.

2. All communications, correspondence, pleadings, notices and orders relating to this proceeding should be sent to:

Jeffrey A. Keevil
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4603 John Garry Drive, Suite 11
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3. On May 27, 2005, Aquila, Inc. submitted certain proposed tariff sheets to the Missouri Public Service Commission to implement a general rate increase for retail steam heat service provided by Aquila, Inc. in its L&P service area. Empire has a particular

interest in this case in the Commission's treatment of depreciation of Aquila's plant, which includes both steam and electric utility plant. As a Commission-regulated electric utility, Empire has a direct interest in this matter which is different from that of the general public, which may be adversely impacted by a final order arising from this case and which cannot be adequately represented by any other party to this proceeding. Empire therefore seeks to intervene herein and become a party to this case for all purposes so that it may have the opportunity to provide evidence and legal briefing on this important policy issue and any others that it may deem necessary. Empire's experience as a Commission-regulated electric utility should aid the Commission in its deliberations and therefore makes granting Empire's intervention in this proceeding in the public interest.

4. Pursuant to the Commission's *Suspension Order and Notice, Order Directing Filing, Order Setting Hearings, and Order Adopting Protective Order* issued June 1, 2005, this Application to Intervene is being timely filed and therefore granting Empire's intervention request will not unduly delay this proceeding.

WHEREFORE, having complied with the requirements of 4 CSR 240-2.075, The Empire District Electric Company respectfully requests that the Commission grant this Application to Intervene and permit Empire to intervene herein and become a party to this proceeding for all purposes.

Respectfully submitted,

/s/ **Jeffrey A. Keevil**

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ATTORNEYS FOR
THE EMPIRE DISTRICT
ELECTRIC COMPANY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Application To Intervene was sent to counsel as ordered in the Commission's *Suspension Order and Notice, Order Directing Filing, Order Setting Hearings, and Order Adopting Protective Order* issued herein on June 1, 2005, by depositing same in the U.S. Mail, first class postage prepaid, by hand-delivery, or by electronic mail transmission, this 16th day of June, 2005.

/s/ **Jeffrey A. Keevil**
