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RICHARD T. CIOTTONE

February 21, 2003

Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED³

FEB 21 2003

**Missouri Public
Service Commission**

RE: Case No. EO-2003-0271

Dear Mr. Roberts:

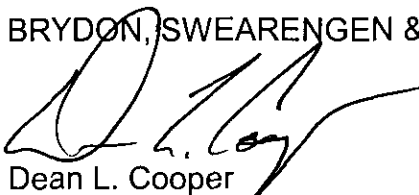
Enclosed please find an original and eight copies of The Empire District Electric Company's Application to Intervene. Please file stamp the enclosed extra receipt copy and return to me for my records.

If you have any questions concerning this matter, then please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:



Dean L. Cooper

DLC/tli

Enclosures

cc: John B. Coffman
David B. Hennen
Steven Dottheim
Mike Palmer

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

FILED³

FEB 21 2003

**Missouri Public
Service Commission**

In re: Application of Union Electric Company)
for Authority to Participate in the Midwest)
ISO through a Contractual Relationship)
with GridAmerica)

Case No. EO-2003-0271

APPLICATION TO INTERVENE

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

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri 64801. 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 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 incorporated by reference.

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

Mr. Mike Palmer
Vice President of Commercial Operations
The Empire District Electric Company
602 Joplin Street
P.O. Box 127
Joplin, MO 64802
Telephone: (417) 625-4250
Facsimile: (417) 625-5153
E-mail: mpalmer@empiredistrict.com

6. On February 5, 2003, Union Electric Company d/b/a AmerenUE filed an application and motion for expedited treatment related to its proposed participation in the Midwest ISO. The Commission issued an Order Directing Notice and Setting Prehearing Conference on February 14, 2003, which, among other things, directed that any interested party wishing to intervene in this case file an application no later than February 24, 2003.

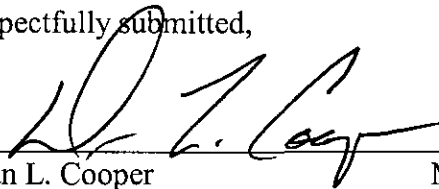
7. As an electric public utility subject to the jurisdiction of both this Commission and FERC, Empire has an interest in this matter and whatever recommendations may be submitted by Staff. Empire currently has an application pending before the Commission (Case No. EO-2003-0015) to transfer functional control of its transmission facilities to a new company which will reflect the consolidation of the Midwest Independent Transmission System Operator, Inc. ("Midwest ISO") and Southwest Power Pool Inc. ("SPP"). The Staff recommendations and any Commission Order regarding those recommendations in this case will likely have some

practical impact on Empire's application. Accordingly, Empire'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. Empire seeks to intervene in this matter for the purpose of addressing whatever conditions may be proposed by the parties.

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

Respectfully submitted,



Dean L. Cooper MBE#36592
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dcooper@brydonlaw.com

ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

VERIFICATION

State of Missouri)
) ss
County of Jasper)

Mike Palmer being first duly sworn, deposes and states that the aforesaid application is true and correct to the best of his knowledge, information, and belief.

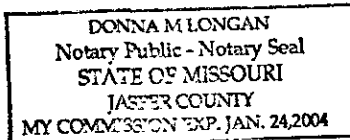
Mike Palmer

Subscribed and sworn to before me this 20th day of February, 2003.

Donna M. Longan
Notary Public

My Commission expires:

01-24-04



CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was, on this 21st day of February, 2003, sent via U.S. Mail, postage prepaid, or hand delivered, to the following:

John B. Coffman
Office of the Public Counsel
Governor State Office Building
6th Floor
Jefferson City, MO 65101

Steven Dottheim
Office of the General Counsel
Governor State Office Building
6th Floor
Jefferson City, MO 65101

David B. Hennen
1901 Chouteau Avenue
P.O. Box 66149 (MC 1310)
St. Louis, MO 63166-6149

