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May 25, 2004

FILED²

MAY 25 2004

Missouri Public
Service Commission

Public Service Commission
Governor Hotel
Jefferson City, MO 65102

RE: In the Matter of Empire District Electric Company's Application for Authority
to File Tariffs Increasing Electric Rates for the Service Provided to Customers
No. ER-2004-0570

Dear Sir/Madam:

Enclosed for filing please find an original and 9 copies each of Missouri Department
of Natural Resources' Application to Intervene in the above-styled matter. Please stamp
"filed" on the extra copy of each document for my files. Thank you.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General

Shelley A. Woods
SHELLEY A. WOODS
Assistant Attorney General

SAW:pah
Enclosure
c: Counsel of Record

FILED²
MAY 25 2004
Missouri Public
Service Commission

Case No. ER-2004-0570

The Missouri Department of Natural Resources (MDNR), pursuant to 4 CSR 240-2.075, respectfully requests that the Commission grant its application to intervene in the above-styled matter. This application is made for the following reasons:

1. On April 30, 2004, Empire District Electric Company (the Company) filed with the Missouri Public Service Commission (PSC) its application for authority to file tariffs to effectuate a general rate increase for electric service.
2. On May 5, 2004, the PSC issued a Suspension Order and Notice advising parties interested in the above-styled case to file motions to intervene no later than May 25, 2004.
3. MDNR, and specifically its Energy Center, is a state agency vested with the powers and duties set forth in Section 640.150, RSMo.
4. MDNR has an interest different than that of the general public, and its intervention will serve a public interest in that the Energy Center will be looking at the


proposed filing from a formal policy and planning perspective as well as looking at the potential impacts on environmental quality. In particular, the Energy Center will look at the proposed filing to assess the commitment by the Company to provide low or no cost weatherization to low income families. The Energy Center's review also will be in relation to the mandate set forth in Section 640.150, RSMo. The mandate set forth in the statute includes planning for energy resource development; analyzing energy management issues; consulting and cooperating with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; assessing the potential impacts on environmental quality; and analyzing the potential for increased use of energy alternatives and making recommendations for the expanded use of such alternate energy sources and technologies.

5. The Energy Center takes no position on the filing as filed, but would welcome the opportunity to work with the Company, Staff and the Office of Public Counsel to explore whether the Company is interested in developing a program that has meaningful benefits to consumers and the environment.

WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, by United States mail, this 25th day of May, 2004, to:

John Coffman
Doug Micheel
Office of Public Counsel
P.O. Box 7800
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