

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

In the Matter of the Application of Aquila, Inc., for)	
Approval of its Experimental Regulatory Plan and)	
for a Certificate of Convenience and Necessity)	
Authorizing it to Participate in the Construction,)	
Ownership, Operation, Maintenance, Removal,)	Case No. EO-2005-0293
Replacement, Control and Management of a Steam)	
Electric Generating Station in Platte County, Missouri,)	
or alternatively for an Order Specifically Confirming)	
that Aquila, Inc., Has the Requisite Authority under)	
its Existing Certificate(s).)	

APPLICATION TO INTERVENE

COMES NOW The Empire District Electric Company (Empire), and, pursuant to Missouri Public Service Commission (Commission) Rule 4 CSR 240-2.075 and the Commission's Order Establishing Intervention Period, states as follows:

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street (P.O. Box 127), Joplin, Missouri 64801 (64802). 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 preceding the filing of this application. Empire has a general rate case pending

before the Commission in Case No. ER-2004-0570. 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 also incorporated by reference.

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

Mr. Todd Tarter
The Empire District Electric Company
602 Joplin Street
P.O. Box 127
Joplin, MO 64802
Telephone: (417) 625-6533
Facsimile: (417) 625-5173
E-mail: ttarter@empiredistrict.com

6. On March 2, 2005, Aquila, Inc. (Aquila) applied for a certificate of convenience and necessity to participate in a steam electric generation station (Iatan Unit 2), and to get Commission approval of an experimental regulatory plan to fund its participation in that plant. The Commission issued an Order Establishing Intervention Period on March 8, 2005, wherein the Commission ordered that any interested party wishing to intervene do so no later than April 1, 2005.

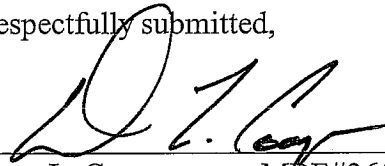
7. Empire is currently a co-owner of the Iatan Unit No. 1 power plant with Aquila and Kansas City Power and Light Company (KCPL) and is a potential co-owner of the proposed

Iatan Unit 2. As a co-owner of Iatan Unit 1, Empire is directly interested in both the capacity and emissions subjects associated with the Iatan 2 project. As a fellow Missouri electric utility, Empire is also indirectly interested in both the price stability and demand-side subjects associated with this project. Empire is unsure what position it may take as to the issues that may be raised in this matter.

8. For the reasons stated above, Empire 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. Additionally, Empire's status as a public utility and its direct and indirect interests in the subjects of this case indicate that its intervention would serve the public interest.

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
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
(573) 635-7166
(573) 635-3847 facsimile
dcooper@brydonlaw.com

ATTORNEYS FOR THE EMPIRE DISTRICT
ELECTRIC COMPANY

CERTIFICATE OF SERVICE

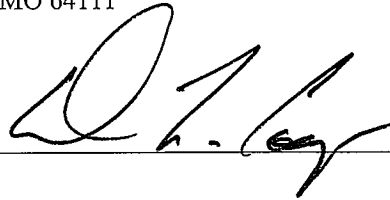
The undersigned certifies that a copy of the foregoing was, on this 31st day of March, 2005, sent via electronic mail or hand delivered, to the following:

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

John Coffman
Governor State Office Building
8th Floor
Jefferson City, MO 65101

James C. Swearengen
Brydon, Swearengen & England
P.O. Box 456
Jefferson City, MO 65102

Stuart Conrad
Finnegan, Conrad & Peterson, L.C.
3100 Broadway, Suite 1209
Kansas City, MO 64111

A handwritten signature in black ink, appearing to read "S. Conrad", is written over a horizontal line.