

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

In the Matter of Missouri-American Water)
Company's Request for Authority to Implement) Case No. WR-2011-0337
A General Rate Increase for Water and Sewer)
Service Provided in Missouri Service Areas)

EMPIRE'S APPLICATION TO INTERVENE

COMES NOW The Empire District Electric Company ("Empire"), by counsel and pursuant to 4 CSR 240-2.075, and for its application to intervene in the above-captioned proceeding, respectfully states as follows to the Missouri Public Service Commission (the "Commission"):

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri, 64802. Empire is qualified to conduct business and is conducting business in Kansas as well as in the states of Missouri, Arkansas and Oklahoma. Empire is engaged, generally, in the business of generating, purchasing, transmitting, distributing and selling electric energy in portions of said states. Empire also provides water service and, through its subsidiary, natural gas distribution service in Missouri. Empire's Missouri operations are subject to the jurisdiction of the Commission as provided by law.

2. A certified copy of Empire's Restated Articles of Incorporation, as amended, was filed in Case No. EF-94-39 and is incorporated herein by reference in accordance with Commission rule 4 CSR 240-2.060(1)(G). A Certificate from the Missouri Secretary of State that Empire, a foreign corporation, is authorized to do business in Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated by reference in accordance with Commission rule 4 CSR 240-2.060(1)(G). This information is current and correct. Other than appeals of Commission rate case decisions and Empire's current AAO application pending before the Commission (EU-2011-0387), Empire has no pending actions or final unsatisfied

judgments or decisions against it from any state or federal agency or court that involve customer service or rates. Empire's annual report and assessment fees are not overdue.

3. Communications relating to this application and proceeding should be directed to the undersigned counsel and to:

Kelly S. Walters
Vice President – Regulatory and Services
The Empire District Electric Company
602 Joplin Street
Joplin, Missouri 64801
KWalters@EmpireDistrict.com

4. On April 11, 2011, Missouri American Water Company ("MAWC") filed a "Notice of Intended Case Filing" wherein it announced its intention to initiate a general rate case proceeding to seek an increase in its water and sewer rates. On June 30, 2011, MAWC submitted a tariff designed to implement a general rate increase for its water and sewer service. MAWC indicates the new utility service rates are designed to increase its gross annual revenues by approximately \$42.9 million exclusive of applicable gross receipts, sales, franchise or occupational fees or taxes. The submitted tariff sheets bear a requested effective date of July 30, 2011.

5. On July 5, 2011, the Commission issued its Order Directing Notice, Setting Intervention Deadline, Setting Hearings, Directing Filings and Setting Procedural Schedule. Pursuant to that order, intervention requests must be made by July 20, 2011. Therefore, this application is being timely filed.

6. Empire should be allowed to intervene in this proceeding, because Empire has an interest that is different from that of the "general public" which may be adversely affected by a final order in this case and because granting intervention to Empire would serve the public interest.

7. It is Empire's understanding that it is one of MAWC's largest retail customers in MAWC's Joplin district. As a MAWC customer, Empire is interested in and will be directly affected by MAWC's proposed increase and its impact on ratepayers generally and upon Empire specifically.

8. Empire's status as a Missouri public utility and Empire's direct specific interests in the subject of this proceeding indicate that Empire's interests are unique and that its intervention would serve the public interest. Empire's interest is direct, immediate, unique, different from that of the general public, and will not or cannot adequately be represented by any other party. Therefore, Empire's intervention will aid the Commission and protect and advance the public interest.

9. Empire cannot yet state precisely what its positions will be in this proceeding. Upon further review of the filings made herein, Empire will be able to state its position in this matter. A detailed statement of position and identification of issues with respect to this proceeding may be submitted by Empire in accordance with any procedural schedule.

WHEREFORE, for the reasons stated herein, Empire respectfully requests that the Commission issue an order permitting it to intervene in this case with full rights as a party hereto.

Respectfully submitted,

SPENCER, SCOTT & DWYER, P.C.

By:

/s/ Gary C. Lentz
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ATTORNEYS FOR THE EMPIRE
DISTRICT ELECTRIC COMPANY

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic transmission to all counsel of record on this 19th day of July, 2011.

/s/ Gary C. Lentz