BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Empire District Electric Company of Joplin, Missouri for Authority to File Tariffs Increasing Rates for Electric Service Provided to Customers in the Missouri Service Area of the Company

) <u>Case No. ER-2011-0004</u>

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MISSOURI DEPARTMENT OF NATURAL RESOURCES' APPLICATION TO INTERVENE

COMES NOW Missouri Department of Natural Resources (MDNR) and, pursuant to Commission Rule 4 CSR 240-2.075, respectfully requests that the Commission issue its order granting MDNR's Application to Intervene. For its Application, MDNR states as follows:

 On September 28, 2010, Empire District Electric Company ("Empire") submitted a tariff designed to implement a general rate increase for electric service to the Missouri Public Service Commission. The Commission issued an *Order Directing Notice*, *Suspending Tariff, Setting Hearings, and Directing Filing* on October 4, 2010. In its October 4, 2010, Order, the Commission established an intervention deadline of October 20, 2010.

2. MDNR, and specifically its Division of Energy, is a state agency vested with the powers and duties set forth in Section 640.150, RSMo.

3. MDNR has an interest different than that of the general public, and its intervention will serve a public interest in that the Division of Energy 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. The Division of Energy's review also will be in relation to the mandate set forth in Section 640.150, RSMo. which 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.

4. Communications, correspondence, orders and decision in this matter should be addressed to:

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with a copy to:

Mary Ann Young Legal Counsel, Division of Energy Missouri Department of Natural Resources P.O. Box 176 Jefferson City MO 65102 Phone: 573-526-7052; Fax: 573-526-7553 Email: maryann.young@dnr.mo.gov.

5. MDNR is uncertain at this time of the position it will take regarding the relief

sought by Empire in this case.

WHEREFORE, the Missouri Department of Natural Resources respectfully

requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

CHRIS KOSTER Attorney General

<u>/s/ Sarah Mangelsdorf</u> Sarah Mangelsdorf Assistant Attorney General P.O. Box 899 Jefferson City, Missouri 65102 Bar No. 59918 573-751-0052 573-751-8796 (fax) <u>sarah.mangelsdorf@ago.mo.gov</u> <u>Attorney for Missouri Department of Natural</u> <u>Resources</u>

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served electronically on all counsel of record this 19th day of October, 2010.

<u>/s/ Sarah Mangelsdorf</u> Sarah Mangelsdorf