

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

In the Matter of The Empire District Electric)	
Company's Application for Certificate of)	
Public Convenience and Necessity and)	Case No. EO-2005-0263
Approval of an Experimental Regulatory Plan)	
Related to Generation Plant)	

APPLICATION TO INTERVENE

COMES NOW Aquila, Inc., (hereinafter "Aquila" or "Company") and, for its Application to Intervene respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. Aquila is a Delaware Corporation with its principal office and place of business at 20 W 9th Street, Kansas City, Missouri 64105-1711. The Company is authorized to conduct business in Missouri through its Aquila Networks-MPS and Aquila Networks-L&P operating divisions and as such is engaged in providing electrical, natural gas and industrial steam utility service in those areas of the State certificated to it by the Commission. A Certificate of Authority for a foreign corporation to do business in the State of Missouri evidencing Aquila's authority under the law to conduct business in the State of Missouri was filed with the Commission in Case No. EU-2002-1053 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). Likewise, copies of the registrations of fictitious names of Aquila Networks-MPS and Aquila Networks L&P were filed with the Commission in Case No. EU-2002-1053 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G).

2. Aquila has pending actions or final unsatisfied judgments or decisions against it involving customer service or rates having occurred within three (3) years from the date of this application in certain of the jurisdictions in which it provides service, but none in Missouri.

3. Aquila has no annual report or assessment fees that are overdue.

4. All pleadings, notices, orders and other communications and correspondence regarding this application and proceeding should be directed to:

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5. On February 4, 2005, The Empire District Electric Company ("Empire") filed its application which is the subject of the captioned matter. By said application, Empire seeks a certificate of convenience and necessity to participate in a steam electric generation station, Iatan Unit 2, and to obtain Commission approval of an experimental regulatory plan. Thereafter, by its order, the Commission directed that any interested party wishing to intervene in the captioned matter do so no later than April 27, 2005.

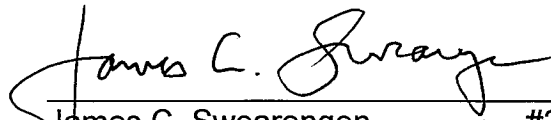
6. Aquila is currently a co-owner of the Iatan Unit 1 power plant along with Empire and Kansas City Power and Light Company ("KCPL"). Aquila is a

potential co-owner of the proposed Iatan Unit 2. Empire's application in this case, along with Aquila's similar application in Case No. EO-2005-0293 and KCPL's application in Case No. EO-2005-0329, raise unique and potentially critically important issues concerning regulatory policy including rate base treatment of utility plant and integrated resource planning. In addition, as a co-owner of Iatan Unit 1, Aquila is interested in both the capacity and emissions subjects associated with the Iatan Unit 2 project as well as associated price stability and demand-side subjects.

7. For the reasons stated above, Aquila 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, Aquila's status as a public utility and its direct specific interests in the subjects of this case indicate that its intervention would serve the public interest. Aquila is unsure at this time what position it may take as to the issues that may be raised in this matter.

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

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent via electronic mail, first class mail or by hand delivery, on this 20TH day of April, 2005 to the following:

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