

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Consideration of Adoption of the )	
PURPA Section 111(d)(17) Rate Design )	
Modification to Promote Energy Efficiency )	
Investments Standard as Required by Section 532 )	Case No. EO-2009-0248
of the Energy Independence and Security Act of )	
2007 )	

**APPLICATION TO INTERVENE OF  
WAL-MART STORES EAST, LP, AND SAM'S EAST, INC.**

Pursuant to 4 CSR 240-2.075(1) Wal-Mart Stores East, LP, and Sam's East, Inc., (collectively "Wal-Mart") submit this Application To Intervene ("Application") to the Public Service Commission of the State of Missouri (the "Commission"). In support of this Application, Wal-Mart states as follows:

1. On December 17, 2008, the Commission issued its Order Establishing Cases, Directing Notice, Establishing a Deadline for Submission of Intervention Requests, Setting a Prehearing conference and Setting Date for Filing Procedural Schedules ("Order Establishing Cases") in this docket. The Order Establishing Cases directed any interested person wishing to intervene in this cause to file an application to intervene on or before January 16, 2009.

2. As of August 2008, Wal-Mart's presence in Missouri includes:

- a. 91 Supercenters;
- b. 28 Discount Stores;
- c. 15 Sam's Clubs; and
- d. 3 Distribution Centers.

3. Wal-Mart is a large retail customer of electricity from various Missouri utilities. Collectively, Wal-Mart's facilities in the State of Missouri consume millions of kWh of electricity on an annual basis. Changes to the regulation in of Missouri's electric utilities could have a materially adverse impact upon Wal-Mart, directly and substantially

affecting its business and operations in the State of Missouri. Accordingly, Wal-Mart has a direct interest in the outcome of these proceedings.

4. Further, as large commercial customer, the interests of Wal-Mart differ significantly from those of other customer groups represented in this proceeding and cannot be adequately represented by any existing or future participant in these proceedings, given the unique nature of Wal-Mart's interests. Allowing Wal-Mart to intervene in this proceeding will serve the public interest by ensuring that the Commission is apprised of the interests of large commercial electric customers. Further, because Wal-Mart operates in many different states, it has substantial and unique insights gained in various states and markets regarding issues in this proceeding.

5. The following persons should be included on the service list in these proceedings, and all communications concerning this matter should be addressed to:

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WHEREFORE, Wal-Mart Stores East, LP, and Sam's East, Inc., respectfully request that this Application be granted and that they be provided full rights to participate immediately as a party to this proceeding.

**APPLICATION TO INTERVENE OF  
WAL-MART STORES EAST, LP,  
AND SAM'S EAST, INC.,  
Case No. EO-2009-0248**

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Dated this 16th day of January, 2009.

Respectfully submitted,

**Rick D.**

**Chamberlain**

By

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ATTORNEYS FOR WAL-MART STORES  
EAST, LP, AND SAM'S EAST, INC.

**CERTIFICATE OF SERVICE**

The undersigned certifies that on January 20, 2009, a true and correct copy of the foregoing Application to Intervene was served by U.S. mail, postage prepaid, or by electronic mail addressed to all parties by their attorneys of record as provided by the Secretary of the Commission.

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