

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

In the Matter of the Application of Kansas City)
Power & Light Company for Authority to Extend)
The Transfer of Functional Control of Certain) File No. EO-2012-0135
Transmission Assets to the Southwest Power)
Pool, Inc.)

In the Matter of the Application of KCP&L)
Greater Missouri Operations Company for)
Authority to Extend The Transfer of Functional) File No. EO-2012-0136
Control of Certain Transmission Assets to the)
Southwest Power Pool, Inc.)

EMPIRE’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 Providing Notice and Establishing Intervention Deadline, states as follows:

1. Empire is a Kansas corporation with its principal office and place of business at 602 South Joplin Avenue (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, and is subject to the jurisdiction and supervision of the Commission as provided by law. Empire also has a wholly owned subsidiary that is a “gas corporation.”

3. Empire has no 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 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:

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6. On September 30, 2011, Kansas City Power & Light Company (KCP&L) and KCP&L Greater Missouri Operations Company (GMO) submitted an interim report, in File No. EO-2009-0142, regarding its participation in the Southwest Power Pool, Inc. (SPP). In that report, the companies requested that the Commission approve the continued participation in the SPP beyond October 1, 2013, without a service agreement.

7. On November 1, 2011, the Commission opened the above-captioned files to address the companies' request. On November 2, 2011, the Commission issued in each file an Order Providing Notice and Establishing Intervention Deadline. The Order, among other things, directed that application to intervene be filed by November 22, 2011.

8. Empire was a party to Files Nos. EO-2006-0142 and EO-2009-0179, wherein KCP&L and GMO first obtained permission to transfer to the SPP, conditional and interim functional control of certain transmission assets. Empire has separately obtained the Commission's authority to transfer to the SPP, conditional and interim functional control of certain transmission assets, in File No. EO-2006-0141.

9. As stated above, Empire has also transferred functional control of certain transmission assets to SPP. Empire will also be pursuing a similar process as to possible extension within a few months. The extension processes are likely to contain similar issues. Accordingly, Empire is interested in the issues in the KCPL and GMO matters, as they may have some implication for Empire.

10. 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 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-captioned matters.

Respectfully submitted,



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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 mail, on November 14, 2011, to the following:

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VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF Newton) SS

I, MIKE PALMER, state that I am employed by The Empire District Electric Company ("Empire") as VICE-PRESIDENT; that I have read the attached document; that the statements contained therein are true and correct to the best of my information, knowledge and belief; and, that I am authorized to make this statement on behalf of Empire.

Mike Palmer

Subscribed and sworn to before me this 14 day of November, 2011.

Sherrif. Blalock
Notary Public

My Commission Expires:

Nov. 16, 2014

