

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

In the Matter of The Empire District Electric)
Electric Company, Liberty Utilities (Central) Co.)
and Liberty Sub Corp. Concerning an Agreement) EM-2016-0213
and Plan of Merger and Certain Related)
Transactions.)

**MOTION TO LATE FILE AND APPLICATION TO INTERVENE OF
PITTSBURGH CORNING CORPORATION**

COMES NOW the Pittsburgh Corning Corporation (“Applicant”), pursuant to 4 CSR 240-2.075 of the Missouri Public Service Commission’s Rules of Practice and Procedure and the Commission’s March 17, 2016 *Order Directing Notice and Setting Intervention Date*, and for its Application to Intervene respectfully states as follows:

1. Pittsburgh Corning is a large gas transportation customer of Empire District Gas Company. In its March 17, 2016 *Order Directing Notice and Setting Intervention Date*, the Commission set an intervention date in this matter of April 14, 2016. While Applicant did not meet the Commission’s intervention deadline, Applicant believes that good cause exists to allow it to intervene in this matter out of time. First, while several Empire electric customers have intervened in this matter, no one has intervened to represent the interests of Empire’s gas transportation customers. By allowing Applicant to intervene in this matter out of time, the Commission assures that the interests of these Empire gas customers are represented in this matter. Second, no party should be prejudiced by Applicant’s late intervention in this matter. Specifically, Applicant states that the only activity that has occurred in this matter since the

intervention date is the filing of a proposed procedural schedule. Applicant has reviewed that proposed schedule and agrees to comply with the deadlines and terms contained therein. As such, other parties should not see any detriment associated with Applicant's intervention one week late.

2. The matters to be considered in this case and the Commission's determinations therein, may have a direct and significant impact on Applicants' cost of energy service and the manner in which it is supplied. As mentioned, Applicant would be the only party in this matter representing the interests of Empire's gas transportation customers. Therefore, granting this proposed intervention to the Applicants would serve the public interest and would assist the Commission in its development of a more complete record.

3. As a large transportation customer of Empire District Gas, Pittsburgh Corning has a direct and immediate interest in these proceedings that is different from that of the general public. While Applicant does not, at this time, have sufficient information to assert a position on this investigation, they reserve the right to assert positions after they have had an adequate opportunity to examine the record, and any documentation of other parties filed herein.

4. Correspondence and communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

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WHEREFORE, having stated the grounds for intervention and the position and interest of the Applicant in these proceedings, Applicant asks that the Commission grant this Application for Intervention, and thereby entitle said Applicant to have notice of and to appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on the argument, and in all other respects to be made parties to this proceeding.

Respectfully submitted,



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ATTORNEY FOR THE MIDWEST
ENERGY CONSUMERS GROUP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.



David L. Woodsmall

Dated: April 23, 2016