

# **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 ) **Case No. EO-2005-0263**  
Necessity and Approval of an Experimental )  
Regulatory Plan Related to Generation Plant )

### **ORDER GRANTING APPLICATIONS TO INTERVENE**

On February 4, 2005, The Empire District Electric Company applied to the Commission for authority to participate in a steam electric generating plant, Iatan Unit 2. Empire also asked for authority to use an experimental regulatory plan to fund its participation in that plant.

On April 19, Union Electric Company d/b/a AmerenUE asked to intervene. According to the application, this case could set current Commission policies regarding rate base treatment of capital investment, integrated resource planning, rate regulation, and alternative rate regulation. As such, AmerenUE has an interest that is different from that of the general public, and AmerenUE's intervention would serve the public interest.

On April 20, Aquila, Inc., asked to intervene. According to the application, Aquila is a co-owner of Iatan Unit 1, and a potential co-owner of Iatan Unit 2. As such, Aquila states that its interests in this case are interests that no other party can adequately represent. Furthermore, those interests are different from those of the general public.

Under 4 CSR 240-2.080(15), interested parties have ten days from the filing date to object. No parties objected.

The Commission has reviewed the applications, and finds that they substantially comply with Commission rules regarding intervention. The Commission further finds that Aquila and AmerenUE have interests in this matter different from those of the general public, and that granting intervention would serve the public interest. The Commission concludes that it should grant the requests.

**IT IS THEREFORE ORDERED:**

1. That Union Electric Company d/b/a AmerenUE's Application to Intervene is granted.
2. That Aquila, Inc.'s Application to Intervene is granted.
3. That this order shall become effective on May 3, 2005.

**BY THE COMMISSION**

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Ronald D. Pridgin, Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 3rd day of May, 2005.