

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

ORDER ESTABLISHING INTERVENTION PERIOD

This order grants The Empire District Electric Company's request for the Commission to set an intervention period.

On February 4, 2005, The Empire District Electric Company applied for a certificate of convenience and necessity to participate in a steam electric generation station (Iatan Unit 2), and to get Commission approval of an experimental regulatory plan to fund its participation in that plant. Within that application, Empire asked that the Commission give public notice of the application, and to set an intervention deadline of February 25.

On February 14, the Commission issued a notice. That notice stated that the Commission would not set an intervention deadline because Empire's application did not give enough information to allow potential interveners to decide whether to intervene. Empire has not amended its application. Nonetheless, the Commission will move this case forward, and set an intervention deadline.

The Commission finds that it should give notice of this application to the general public and to interested parties. The Commission further finds that it should allow interested parties until April 27 to request intervention.

Accordingly, the Commission's Data Center shall mail a copy of this notice to all of the county commissions that represent counties within Empire's service territory. The Commission's Data Center shall also mail a copy of this notice to Kansas City Power & Light and Aquila, Inc. Further, the Commission's Public Information Office shall provide notice to the media and to the members of the General Assembly serving the counties within Empire's service territory.

IT IS THEREFORE ORDERED:

1. That the Missouri Public Service Commission's Data Center shall serve notice as set forth in this order.
2. That the Missouri Public Service Commission's Public Information Officer shall provide notice as set forth in this order.
3. That any person wishing to intervene in this matter shall file an application not later than April 27, 2005. Such applications shall be filed with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

with copies served upon:

Dean Cooper, Esq.
Brydon, Swearngen & England, P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

4. That this order shall become effective on April 12, 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 12th day of April, 2005.