

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Consideration of Adoption)
of the PURPA Section 111(d)(13) Fossil Fuel)
Generation Efficiency Standard as Required by)
Section 1251 of the Energy Policy Act of 2005)

Case No. EO-2006-0495

ORDER GRANTING APPLICATIONS TO INTERVENE

Issue Date: August 29, 2006

Effective Date: August 29, 2006

On June 22, 2006, the Staff of the Missouri Public Service Commission filed a motion requesting that the Commission establish a case, provide notice, set an intervention deadline and schedule an early prehearing conference for the purpose of determining whether to adopt the Fossil Fuel Generation Efficiency Standard established in Section 1251 of the Energy Policy Act of 2005 ("EPAct"). The Commission granted Staff's motion on June 23, 2006, and set the deadline for application to intervene for July 24, 2006.

On August 14, 2006, the following entities filed late applications to intervene in this matter pursuant to 4 CSR 240-2.075(5):

Sedalia Industrial Energy Users' Association ("SIEUA")

Ag Processing Inc., A Cooperative ("AGP")

Praxair, Inc. ("Praxair")

Commission Rule 4 CSR 240-2.075(5) provides that: "Applications to intervene filed after the intervention date may be granted upon a showing of good cause." Each of the above applicants states that they were involved in earlier workshops on this proposed standard

and had intended to continue their involvement in this matter, but that they were unaware of the initiation of these proceedings until receiving a call from a Commission Staff member questioning their lack of earlier intervention.

The requests to intervene establish that each entity has an interest in this case that is different from that of the general public, and that those interests may be adversely affected by a final order arising from this case. Although the applications were filed out of time, no other party has opposed these applications for intervention in the time allowed by the Commission. Additionally, all of the above named entities indicate that if allowed to intervene they “will not seek a delay or deferral of the proceedings by reason of their late-filled intervention.” The Commission finds the above named entities have demonstrated good cause and will grant the requests to intervene.

IT IS ORDERED THAT:

1. Sedalia Industrial Energy Users’ Association’s Application for Intervention is granted.
2. Ag Processing Inc., A Cooperative’s Application for Intervention is granted.
3. Praxair, Inc.’s Application for Intervention is granted.

4. This order shall become effective on August 29, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 29th day of August, 2006.