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March 14, 2005

FILED⁴

MAR 16 2005

Public Service Commission
Governor Hotel
Jefferson City, MO 65102

Missouri Public
Service Commission

RE: In the Matter of the Empire District Electric Company's Application for Certificate of Public Convenience and Necessity and Approval of an Experimental Plan Related to Generation Plant, Case No. EO-2005-0263

Dear Sir/Madam:

Enclosed for filing please find an original and 9 copies of Missouri Department of Natural Resources' Application to Intervene in the above-styled matter. Please stamp "filed" on the extra copy for my files. Thank you.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General

A handwritten signature in cursive script that reads "Shelley A. Woods".

SHELLEY A. WOODS
Assistant Attorney General

SAW:pah
Enclosure
c: Counsel of Record

FILED⁴

MAR 16 2005

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

**Missouri Public
Service Commission**

In the Matter of the Empire District Electric)
Company's Application for Certificate)
of Public Convenience and Necessity and Approval)
of an Experimental Plan Related to Generation Plant)

Case No. EO-2005-0263

MISSOURI DEPARTMENT OF
NATURAL RESOURCES'
APPLICATION TO INTERVENE

The Missouri Department of Natural Resources (MDNR), pursuant to 4 CSR 240-2.075, respectfully requests that the Commission grant its application to intervene in the above-styled matter. This application is made for the following reasons:

1. On February 4, 2005, Empire District Electric Company (Empire) filed its application with the Commission requesting authority to participate in a steam generating plant, Iatan Unit 2. Empire also asked for authority to use an experimental regulatory plan to fund its participation in Iatan Unit 2.
2. MDNR, and specifically its Energy Center, is a state agency vested with the powers and duties set forth in Section 640.150, RSMo.
4. MDNR has an interest different than that of the general public, and its intervention will serve a public interest in that the Energy Center will be looking at the proposed filing from a formal policy and planning perspective as well as looking at the potential impacts on environmental quality. In particular, the Energy Center will look at


the proposed filing to assess the commitment by the Company to provide low or no cost weatherization to low income families. The Energy Center's review also will be in relation to the mandate set forth in Section 640.150, RSMo. The mandate set forth in the statute includes planning for energy resource development; analyzing energy management issues; consulting and cooperating with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; assessing the potential impacts on environmental quality; and analyzing the potential for increased use of energy alternatives and making recommendations for the expanded use of such alternate energy sources and technologies.

5. The Energy Center takes no position on the filing as filed, but would welcome the opportunity to work with the Company, Staff and the Office of Public Counsel to explore developing a program that has meaningful benefits to consumers and the environment.

WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, by United States mail, this ^{Kyle March 2005} 1st day of June, 2004, to:

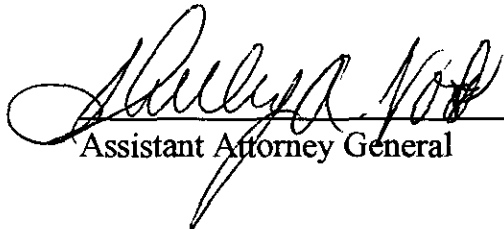
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