2006.06.23 14:45:40 Kansas Corporation Commission /S/ Susan K. Duffy

## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

STATE CORFORATION COMMISSION

JUN 2 3 2006

Before Commissioners:

Brian J. Moline, Chair Robert E. Krehbiel Michael C. Moffet

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Susan Talify Douket

In the Matter of The Empire District Electric Company Filing Monthly Fuel Purchase Reports in Compliance with the Policy Established by Commission Order Dated September 25, 2002, in Docket No. 106,850-U/75-GIMC-009-GIG.

Docket No. 06-EPDE-1016-EPR

## **PETITION TO INTERVENE**

COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and moves the Corporation Commission of the State of the Kansas ("Commission") for an order permitting it to intervene in the above-captioned proceeding. In support of its petition, CURB states and alleges as follows:

1. CURB is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings.

2. CURB's Consumer Counsel has been given the discretion to intervene and represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223 et seq.

3. On March 16<sup>th</sup>, 2006, The Empire District Electric Company ("Empire"), filed its monthly fuel Purchase Reports in Compliance with the Policy Established by the Commission Order dated September 25, 2002 in Docket No. 106,850-U/75-GIMC-0009-GIG.

4. CURB is requesting permission to intervene in this docket to represent the interests of the residential and small commercial ratepayers of Kansas. The rates paid and the

service received by those customers will or may be affected by any Commission order or activity in this proceeding.

5. The representation of CURB's interests in this proceeding by existing parties is or may be inadequate.

6. The residential and small commercial ratepayers whose interests CURB represents will or may be bound by any Commission order or activity in this proceeding and will or may be adversely affected thereby.

WHEREFORE, CURB RESPECTFULLY REQUESTS THE Commission grant its Petition for Intervention in this Docket.

Respectfully submitted,

David Springe #15619 Niki Christopher #19311 Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, KS 66604 (785) 271-3200 (785) 271-3116 Fax

## VERIFICATION

STATE OF KANSAS ) ) ss: COUNTY OF SHAWNEE

I, David Springe, of lawful age, being first duly sworn upon his oath states:

That he is an attorney for the above named petitioner; that he has read the above and foregoing Intervention, and, upon information and belief, states that the matters therein appearing are true and correct.

 $\bigcirc$ David Springe

SUBSCRIBED AND SWORN to before me this 23<sup>rd</sup> day of June, 2006.

Vermona E Kunnet

Notary of Public

My Commission expires:

A.	Vermona E. Runne Normy Pablic - State of	baum
	Normy Pablic - State of	Kansas
	P. Foprice February 18	

## CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing docket was placed in the United States mail, postage prepaid, or hand delivered this 23<sup>rd</sup> day of June, 2006, to the following:

Otto Newton Assistant General Counsel Kansas Corporation Commission 1500 SW Arrowhead Road Topeka, KS 66604

James G. Flaherty Anderson & Byrd PO Box 17 Ottawa, KS 66067

David R. Springe