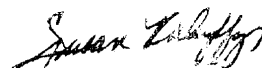


BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

STATE CORPORATION COMMISSION

OCT 10 2007

In the Matter of the Petition of Westar Energy, Inc. and)
Kansas Gas and Electric Company (collectively "Westar"))
for Determination of the Ratemaking Principles and)
Treatment that Will Apply to the Recovery in Rates of the)
Cost to be Incurred by Westar for Certain Electric)
Generation Facilities and Power Purchase Agreements)
under K.S.A. 2003 Supp. 66-1239)

 Docket
Room

Docket No. 08-WSEE-309-PRE

PETITION TO INTERVENE

COMES NOW The Empire District Electric Company, ("Empire") and petitions the Kansas Corporation Commission ("Commission") for an Order allowing Empire to intervene in these proceedings. In support of its petition, Empire states:

1. On October 1, 2007, Westar filed its Application for a determination of the ratemaking principles and treatment that will apply to the recovery in rates of the costs to be incurred by Westar in the purchase of wind generation facilities and pursuant to power purchase agreements for the purchase of wind energy identified in its Application.

2. Empire is a corporation duly organized and existing under the laws of the state of Kansas and is engaged in doing business in said state. Empire is a holder of a certificate of convenience and authority from the Commission to conduct the business of an electric utility in Kansas.

3. As a utility with Kansas customers which has entered into long-term contracts for energy produced from renewable resources, Empire is interested in cost recovery implications for renewable resources that may result from this docket.

4. In addition, Empire is the other purchaser of energy from Meridian Way Wind Farm

located in Cloud County, Kansas (paragraph 23 of the Application) and as such, approval of Westar's Application may have an impact on Empire and its customers. Specifically, Empire may be impacted from the upsizing of Meridian Way Wind Farm, including the potential limitation on transmission access.

5. Empire has a direct interest in the subject Application, and that interest cannot adequately be represented by any other party.

6. For the above reasons, Empire requests that the Commission grant its request and allow Empire to fully participate in this matter.

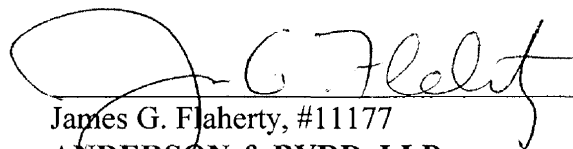
7. Empire requests that all communications and correspondence to Empire, including service of all notices and orders of the Commission, be sent to the following:

Blake Mertens
The Empire District Electric Company
602 Joplin, P. O. Box 127
Joplin, Missouri 64802

James G. Flaherty
ANDERSON & BYRD, LLP
216 S. Hickory, P. O. Box 17
Ottawa, Kansas 66067

Tim Wilson
The Empire District Electric Company
602 Joplin, P. O. Box 127
Joplin, Missouri 64802

WHEREFORE, Empire requests that the Commission issue an Order granting Empire's petition to intervene in this matter and for such other and further relief as may be appropriate.



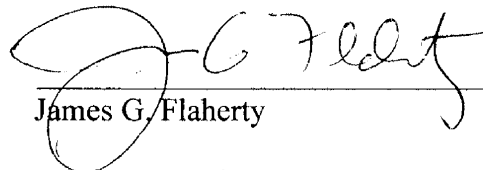
James G. Flaherty, #11177
ANDERSON & BYRD, LLP
216 S. Hickory, P. O. Box 17
Ottawa, Kansas 66067
(785) 242-1234, telephone
(785) 242-1279, facsimile
Attorneys for The Empire District Electric Company

VERIFICATION

STATE OF KANSAS)
)ss:
COUNTY OF FRANKLIN)

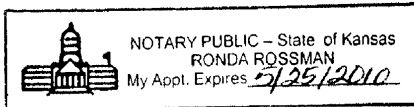
James G. Flaherty, of lawful age, being first duly sworn on oath states:

That he is the attorney for The Empire District Electric Company, named in the foregoing Petition to Intervene; that he has read the foregoing Petition, and knows the contents thereof; and that the facts therein are true and correct to the best of his knowledge, information and belief.



James G. Flaherty

SUBSCRIBED AND SWORN to before me this 10th day of October, 2007.





Notary Public

My Commission Expires:

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was mailed, postage prepaid, this 10th day of October, 2007, addressed to:

NIKI CHRISTOPHER, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604

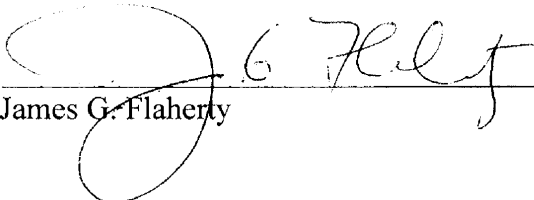
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