

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Application of )  
Aquila, Inc. dba KCP&L Greater )  
Missouri Operations Company for ) ER-2009-0090  
Approval to Make Certain Changes in )  
its Charges for Electric Service )

APPLICATION TO INTERVENE WITHOUT PREJUDICE OF  
SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION

COMES NOW the SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION ("SIEUA") pursuant to 4 C.S.R. 240-2.075 and, reserving its rights in pending appeals and without prejudice to any and all rights to challenge the authority of the filing entity to submit the tariffs that purportedly initiated this case, applies to intervene herein and become a party hereto in respect to the purported tariff filing on behalf of Aquila on September 5, 2008. In support of this motion, SIEUA respectfully shows the following:

1. SIEUA is an unincorporated voluntary association consisting of large commercial and industrial users of natural gas and electricity in the Sedalia, Missouri and in the surrounding area. SIEUA was formed for the purpose of economical representation of its members' interests through intervention and other activities in regulatory and other appropriate proceedings.

2. Current members of SIEUA are as follows: **Pittsburgh Corning Corporation**, a manufacturer of cellular glass

insulation at its manufacturing facility in Sedalia, Missouri where roughly 160 workers are employed; **Waterloo Industries**, a manufacturer of tool storage equipment and employer of approximately 650 workers at its manufacturing facility in Sedalia, Missouri; **Hayes-Lemmerz International** employs roughly 800 workers at its Sedalia, Missouri facility where it manufactures automobile wheels; **EnerSys Inc.** employs approximately 500 persons in its industrial battery manufacturing facility in nearby Warrensburg, Missouri; **Alcan Cable Co.** manufactures aluminum electrical conductors and employs 250 persons in its Sedalia, Missouri operation; **Gardner Denver Corporation** employs 320 workers at its Sedalia works where it makes industrial compressors and blowers; **American Compressed Steel Corporation** employs 35 workers in scrap metal recycling at its facility near Sedalia, Missouri; and **Stahl Specialty Company**, a major United States manufacturer of specialty and precision aluminum castings at facilities located in Warrensburg and Kingsville, Missouri, where approximately 1,100 workers are employed. Collectively, these SIEUA members provide gainful employment for approximately 3,815 workers in central Missouri.

3. SIEUA's interests in proceedings affecting the rates, terms and conditions of electric service from Aquila and its predecessors have been previously recognized by the Missouri Public Service Commission in permitting SIEUA's intervention in numerous rate design and electric rate proceedings concerning

Aquila and its predecessor UtiliCorp, including without limitation the last series of Missouri Public Service and Aquila, Inc. rate increase cases.

4. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

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5. On September 5, 2008, a filing was made in the name of Aquila of proposed tariffs that were stated to increase Aquila's for electric service by \$66 million in its MPS service area and \$17.1 million in its L&P area, or nearly \$83 million in the aggregate. Although the tariffs affect different service areas, the filing has been combined.

6. SIEUA members are vitally interested in this proposed tariff, in its terms and conditions, and its impact on ratepayers generally and upon their operations specifically. As major electric customers of MPS, SIEUA members are in a position to be directly affected by the proposed increases and may be bound or adversely affected by any Commission order issued in this proceeding. Because MPS provides electricity to SIEUA members under separate contracts or rate schedules and because of

SIEUA members' size and load factors, these companies are in the special and unique position of representing an interest which will not and cannot be represented adequately by any other party and which interest is direct and immediate and differs from that of the general public. Therefore, it will aid the Commission and protect and advance the public interest that SIEUA be permitted to intervene in this proceeding so as to protect its members' interest.

7. For purposes of 4 C.S.R. 240-2.075(2), SIEUA states that it is opposed to discriminatory pricing of electricity and related utility services, is opposed to increases that are not reasonable and are not related to prudent costs that are incurred by the utility in providing utility service. A more detailed statement of position and identification of issues with respect to the September 5, 2008 filing may be submitted following a more extensive review of the tariff filing and the materials claimed to support such filing.

WHEREFORE, SIEUA prays (without prejudice to later requests for relief and to its assertions in other forums and venues including pending appeals that the acquisition/merger of Aquila is neither lawful nor reasonable): (a) that SIEUA be permitted to intervene herein subject to that reservation of right and be made a party hereto with all rights to have notice of and participate in hearings to present evidence, cross-examine witnesses, file briefs and participate in argument, should any be

had; (b) that a full procedural schedule be adopted providing for the filing of exhibits and testimony; (c) that following such investigation the matter be heard by the Commission and that purported applicant utility is put to its proof regarding the need for the proposed increase and all aspects of its proposed methodology of recovery; and (d) for all other needful and proper relief appropriate in the premises.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



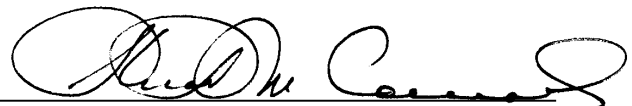
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ATTORNEYS FOR SEDALIA INDUSTRIAL  
ENERGY USERS' ASSOCIATION

September 16, 2008

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Application for Leave to Intervene by U.S. mail, postage prepaid or by electronic mail addressed to all parties by their attorneys of record as made available by the Secretary of the Commission through its EFIS.



Stuart W. Conrad

Dated: September 16, 2008