

STATE OF MISSOURI
MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of Missouri-American)	
Water Company's Request for Author-)	
ity to Implement a General Rate)	WR-2010-0131
Increase for Water Service Provided)	
in Missouri Service Areas)	

**APPLICATION TO INTERVENE
OF AG PROCESSING INC, A COOPERATIVE**

This application requests intervention in this proceeding for AG PROCESSING INC, A COOPERATIVE ("AGP"). Pursuant to 4 C.S.R. 240-2.075 AGP applies to intervene and to become a party in this proceeding. In support, AGP states:

1. AGP is an agricultural cooperative and is a large manufacturer and processor of soybean meal, soy-related food products, and other grain products throughout the central and upper Midwest, including the State of Missouri. AGP is the largest cooperative soybean processing company in the world, the third-largest supplier of refined vegetable oil in the United States and the third-largest commercial feed manufacturer in North America.

2. AGP operates a major processing facility in St. Joseph, Missouri where it is a major industrial water supply customer of Missouri-American Water Company ("Missouri-American") in the St. Joseph district.

3. AGP's interest in proceedings affecting the rates, terms and conditions of water services from Missouri-American

have been previously recognized by the Missouri Public Service Commission in permitting AGP's intervention in prior Missouri-American rate design and rate-related proceedings. AGP has actively participated in such cases.

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

Stuart W. Conrad, Esq.
David L. Woodsmall^{1/}
FINNEGAN, CONRAD & PETERSON, L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, Missouri 64111
Voice: (816) 753-1122
Fax: (816) 756-0373
E-mail: stucon@fcplaw.com

and to:

Mr. Gary Chesnut
Corporate Purchasing Manager
Ag Processing Inc.
12700 West Dodge Rd.
Omaha, NE 68154

5. On October 30, 2009, Missouri-American filed proposed tariffs claimed to produce an annual increase of roughly \$48.5 million. Initial investigation and review of these proposed tariffs and the accompanying materials indicates that they have not been shown to be just and reasonable and may be unjust, unreasonable, and unduly discriminatory.

6. To the extent that such request is necessary, AGP requests that the Missouri Public Service Commission suspend the

^{1/} Mr. Woodsmall is the firm's resident attorney at its Jefferson City Office. His Jefferson City address is: 428 East Capitol Avenue, Suite 300, Jefferson City, MO 65101,

proposed tariffs for the full statutory period so that they may be investigated.

7. AGP is vitally interested in issues that are or may be raised by or developed as a result of the investigation of Missouri-American's filing for an increase in its rates and revenues, including, without limitation, (1) the revenues which will or may be realized under such rates and the increase over revenues resulting from former rates in effect before the current filing; (2) the amount and prudence of expenses and purported matching revenues to be charged to the appropriate test period; (3) the design and structure of rates needed to raise revenues sufficient to meet a proper cost of service for Missouri-American; and (4) the preservation of district-specific pricing consistent with Missouri law.

8. AGP will be bound or adversely affected by any Commission order in this proceeding. Because of the structure of the rate schedules under which Missouri-American sells water to AGP, and because of AGP's size and consistency of water usage for production purposes, AGP is in the special position of representing its own interest that is direct, immediate, different from that of the general public, and that cannot adequately be represented by any other party. Therefore, it will aid the Commission and serve and protect the public interest that AGP be permitted to intervene in this proceeding to protect its interests. AGP is contacting additional Missouri-American customers to determine whether they wish to participate as a group, but those determina-

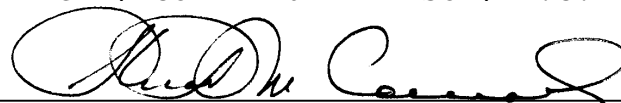
tions are pending and we will later advise the Commission regarding such efforts.

9. For purposes of 4 C.S.R. 240-2.075(2), AGP states that it opposes the discriminatory and excessive pricing of public utility services, including those provided by Missouri-American and therefore opposes the relief sought by Missouri-American in this proceeding.

WHEREFORE, AGP prays: (a) that it be permitted to intervene and be a party to this case with all rights to have notice of and participate in any proceedings and hearings to present evidence, to cross-examine witnesses, file briefs and present any argument; and (b) for all other relief to which AGP is entitled.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



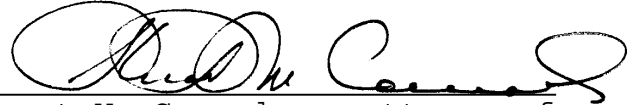
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ATTORNEYS FOR AG PROCESSING INC.

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing Application to Intervene on the designated attorneys or representatives of each party in accord with Commission Orders and the service list maintained in this proceeding by the Secretary of the Commission on EFIS.

Dated: November 9, 2009

A handwritten signature in black ink, appearing to read "Stuart W. Conrad", written in a cursive style.

Stuart W. Conrad, an attorney for
within applicant