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July 24, 2003

FILED²

JUL 24 2003

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Re: Case No. ER-2004-0034

Dear Mr. Roberts:

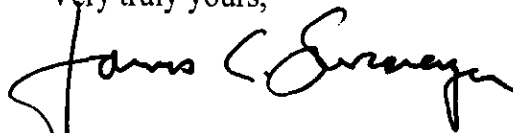
Enclosed for filing on behalf of Aquila, Inc., please find an original and eight (8) copies of a Response to Order Directing Filing.

A copy of this filing will be provided to all parties of record.

Please see that this filing is brought to the attention of the appropriate Commission personnel.

I thank you in advance for your cooperation in this matter.

Very truly yours,



James C. Swearengen

JCS/lar

Enclosure

cc: John Coffman
Nathan Williams
Stuart Conrad

FILED²
JUL 24 2003

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

Missouri Public
Service Commission

In the Matter of Aquila, Inc. d/b/a)
Aquila Networks - L&P and Aquila) Case No. ER-2004-0034
Networks - MPS to Implement a)
General Rate Increase in Electricity)

RESPONSE TO ORDER DIRECTING FILING

Comes now Aquila, Inc., d/b/a Aquila Networks - L&P and Aquila Networks - MPS ("Aquila"), and, in response to the Order Directing Filing issued by the Missouri Public Service Commission ("Commission") in the captioned-matter on July 17, 2003, states as follows:

1. The Commission has directed Aquila to "address the legal consequences of the filing of a tariff bearing a name not recognized by the Commission," apparently as a result of Aquila's use of the name "Aquila Networks" on certain of its proposed tariff sheets which it has filed in this case in addition to the use of the names "Aquila Networks - MPS" and "Aquila Networks - L&P." The Commission states that it has "no record of Aquila, Inc. presenting evidence that it is authorized by the Secretary of State to do business as Aquila Networks."

2. Attached hereto as Appendix A, and made a part hereof for all purposes, is a Certificate of Corporate Records issued by the Missouri Secretary of State which includes a copy of Aquila's Registration of Fictitious Name filing concerning the name "Aquila Networks." This filing was made with the Secretary of State on March 19, 2002 and Aquila has been authorized to do business in Missouri under the fictitious name "Aquila Networks" since that time.

3. The legal consequences of the use of the name "Aquila Networks" in connection with the tariff filing which is the subject of this case, in addition to the use of the divisional names

"Aquila Networks - MPS"¹ and "Aquila Networks - L&P"², is simply to put a third name before the Commission for possible use and adoption in connection with the labeling of the tariffs which ultimately result from this proceeding. Aquila has not utilized the name "Aquila Networks" in connection with the involved tariff sheets as a replacement for the names of either its Aquila Networks - MPS or its Aquila Networks - L&P operating divisions.

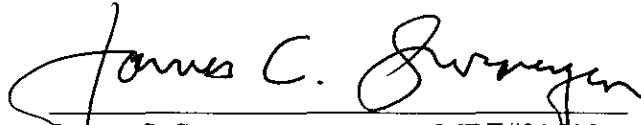
4. The filing of proposed tariff sheets utilizing in some fashion a new or different name, before that name has been acknowledged by the Commission, is nothing out of the ordinary. In a traditional "name change" situation (4 CSR 240-2.060(5)), tariff sheets reflecting the new name are provided to the Commission prior to the Commission's acknowledgment of the new name. In essence, this is what has happened in the instant situation. There is no "legal consequence" of a company filing tariff sheets bearing a name "not recognized by the Commission" other than the fact that the company has placed tariff sheets bearing that name before the Commission for consideration, acknowledgment and possible adoption.

WHEREFORE, Aquila respectfully requests the Commission consider this response and, thereafter, as a part of this case, determine whether it will approve the form of tariff sheets proposed by Aquila to include the use of the name "Aquila Networks" in the manner indicated.

¹ The Commission "acknowledged" Aquila's use of the name "Aquila Networks - MPS" in Case No. EO-2003-450.

² The Commission "acknowledged" Aquila's use of the name "Aquila Networks - L&P" in Case No. EO-2003-451.

Respectfully submitted,



James C. Swearingen MBE#21310
Dean L. Cooper MBE#36592
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(573) 635-7166
(573) 635-3847 facsimile
dcooper@brydonlaw.com

ATTORNEYS FOR AQUILA, INC. D/B/A
AQUILA NETWORKS - MPS AND
AQUILA NETWORKS - L&P

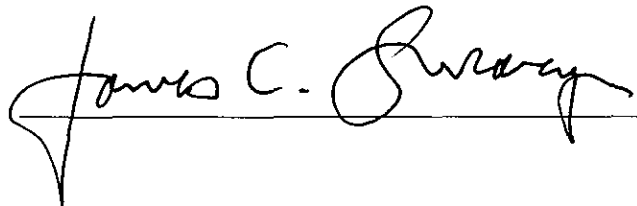
CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered on July 24TH, 2003, to the following:

Office of the General Counsel
Governor Office Building, 8th Floor
Jefferson City, Mo 65101

Office of the Public Counsel
Governor Office Building, 6th Floor
Jefferson City, MO 65101

Stuart W. Conrad
Finnegan, Conrad & Peterson
1209 Penntower Office Center
3100 Broadway
Kansas City, MO 64111



STATE OF MISSOURI




Matt Blunt
Secretary of State

CERTIFICATE OF CORPORATE RECORDS

AQUILA NETWORKS
X00406495

I, MATT BLUNT, Secretary of the State of the State of Missouri and Keeper of the Great Seal thereof, do hereby certify that the annexed pages contain a full, true and complete copy of the original documents on file and of record in this office for which certification has been requested.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 21ST day of JULY, 2003.


Secretary of State





State of Missouri
Matt Blunt, Secretary of State

No. X 406495

MB
STC

Corporations Division

FILED

Registration of Fictitious Name

(Submit in duplicate with filing fee of \$7)

(Must be typed or printed)

MAR 19 2002

Matt Blunt
SECRETARY OF STATE

This information is for the use of the public and gives no protection to the name. There is no provision in this Chapter to keep another person or business from adopting and using the same name. (Chapter 417, RSMo.)

We, the undersigned, are doing business under the following name, and at the following address:

Business name to be registered: Aquila Networks
Business Address: 20 W. 9th Street
(P.O. Box alone not acceptable)
City, State and Zip Code: Kansas City, Missouri 64105

The parties having an interest in the business, and the percentage they own are (if a business entity is owner, indicate business name and percentage owned. If all parties are jointly and severally liable, percentage of ownership need not be listed):

Name of Owners, Individual or Business Entity	Street and Number	City	State and Zip Code	If listed, Percentage of ownership must equal 100%
Aquila, Inc. d/b/a Aquila Foreign Qualifications Corporation	20 W. 9th Street	Kansas City	MO 64105	100%
<u>F300558</u>				

Return to: Secretary of State
Corporations Division
P.O. Box 778
Jefferson City, Mo. 65102

(Over)

The undersigned, being all the parties owning interest in the above company, being duly sworn, upon their oaths each did say that the statements and matters set forth herein are true.

Individual
Owners
Sign Here

X _____ X _____
X _____ X _____
X _____ X _____

FILED

MAR 19 2002

Matt Blunt
SECRETARY OF STATE

406495

If
Business Entity
Is
Owner,
Authorized
Person
Execute
Here

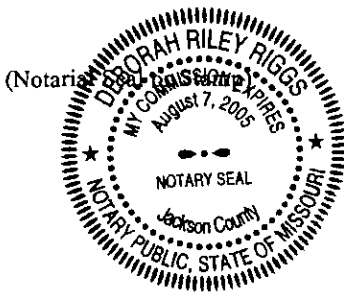
AQUILA, INC. d/b/a AQUILA FOREIGN QUALIFICATIONS CORPORATION
Business Name
Sara L. Henning Sara L. Henning Asst. Secretary
Authorized Signature Printed Name Title

State of Missouri }
County of Jackson } ss

I, Deborah Riley Riggs, A Notary Public, do hereby certify that on March 12, 2002
month/day/year

personally appeared before me Sara L. Henning, and being duly sworn by me, acknowledged that he/she signed as his/her own free act and deed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.



[Signature]

Notary Public

My commission expires August 7, 2005
My County of Commission Jackson County

Corp. #56 (11/00)