

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Tariffs of Aquila, Inc., d/b/a)	
Aquila Networks – MPS and Aquila Networks – L&P)	
Increasing Electric Rates for the Services Provided)	<u>Case No. ER-2007-0004</u>
to Customers in the Aquila Networks – MPS and)	Tariff No. YE-2007-0001
Aquila Networks – L&P Service Areas)	

ORDER GRANTING LATE-FILED APPLICATION TO INTERVENE

Issue Date: October 6, 2006

Effective Date: October 6, 2006

On July 3, 2006, Aquila, Inc., submitted proposed tariff sheets designed to implement a general rate increase for retail electric service provided by Aquila to customers in its Aquila Networks – MPS and Aquila Networks – L&P service areas. The Commission issued notice of that filing on July 5, and established July 25 as the deadline for submission of requests to intervene. On September 12, the County of Jackson, Missouri, filed an application to intervene. More than ten days have passed since Jackson County applied to intervene and no party has objected to its application.

Commission Rule 4 CSR 240-2.075(4) provides that the Commission may grant an application to intervene upon a showing that the applicant has an interest in the case that is different from that of the general public and that may be adversely affected by the Commission's final order in the case. In the alternative, the Commission may grant an application to intervene if doing so would serve the public interest. Subsection (5) of that same rule provides that the Commission may grant a late-filed application to intervene upon a showing of good cause.

The Commission had previously established an intervention deadline in this case of July 25. Jackson County filed its application to intervene on September 12. In its application, Jackson County explained that it was unable to file a timely application to intervene because of the lengthy process required to obtain a source of funding and the approval of the appropriate county officials. Jackson County indicates that it will take the case as it stands and that its intervention will not prejudice any other party. The Commission finds that Jackson County has shown good cause to intervene after the established intervention date.

Having found that Jackson County has shown good cause for its late filing to intervene, the Commission must still address the question of whether Jackson County has an interest that is different than that of the general public and that its interest may be adversely affected by a final order arising from this case. Jackson County indicates that it is a large user of electricity in its own operations. Furthermore, it is interested in ensuring the establishment of a fair rate design to serve the residential and business customers within Jackson County's boundaries. The Commission finds that Jackson County has an interest that is different than that of the general public and that its interest may be adversely affected by a final order arising from this case. Therefore, in accordance with 4 CSR 240-2.075(4), the Commission will grant the application to intervene.

IT IS ORDERED THAT:

1. The County of Jackson, Missouri's Application for Leave to Intervene is granted.

2. This order shall become effective on October 6, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 6th day of October, 2006.