

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

In the matter of the Application of)	
Aquila, Inc. for an Accounting)	
Authority Order Concerning Fuel)	EU-2005-0041
Purchases)	

**OPPOSITION BY
SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION
TO APPLICATION TO INTERVENE**

COMES NOW SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION (hereinafter SIEUA) and opposes the Application for Intervention filed in this matter on September 2, 2004 by AmerenUE Corporation (AmerenUE) and in support thereof states:

1. SIEUA is made up of electric customers of Aquila, Inc. These customers pay Aquila's rates and are directly affected by changes in them.

2. AmerenUE is not an Aquila customer. It is not served by Aquila and does not pay Aquila's rates. AmerenUE has no discernible pecuniary interest in this proceeding, nor will any decision in this matter affect AmerenUE.

3. AmerenUE was neither an intervenor nor participant in the prior Aquila rate case, ER-2004-0034, the settlement stipulation concluding which Aquila seeks to retrade. AmerenUE is an interloper to that settlement and to this litigation.

4. AmerenUE states that its interest in the Commission's decision is that if Aquila obtains accrual authorization from this Commission, AmerenUE might seek to do likewise.

How surprising! Regardless of the dubious merits of this AmerenUE objective, achievement does not depend on AmerenUE's meddling in this proceeding. AmerenUE can read Commission decisions, and can cite them in its own applications. No decision in this matter would bind AmerenUE. Granting Aquila relief would not vest AmerenUE with authority, nor would denial preclude its subsequent application. The sole basis asserted by AmerenUE in support of its intervention is pure spin.

5. Sound public policy should preclude involvement of interlopers in litigation. AmerenUE's involvement will only increase the expenditure of time, multiply costs and compound delay for properly involved parties in **this** matter, all without meaningful purpose.

6. Should the matter even get so far, AmerenUE can petition the Commission to submit a brief or position statement. AmerenUE's objective of fuel cost recovery through all possible means is neither new, unique nor surprising. Nor has AmerenUE seemed to experienced difficulty in the past overrecovering its claimed costs. AmerenUE should retreat beneath the same shroud of silence it used while fuel costs declined.

WHEREFORE, AmerenUE's Application to Intervene in this proceeding should be denied.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

A handwritten signature in black ink, appearing to read "Stuart W. Conrad", is written over a horizontal line.

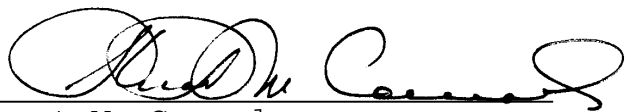
Stuart W. Conrad MBE #23966
3100 Broadway, Suite 1209
Kansas City, Missouri 64111
(816) 753-1122
Facsimile (816) 756-0373
Internet: stucon@fcplaw.com

ATTORNEYS FOR SEDALIA INDUSTRIAL
ENERGY USERS' ASSOCIATION

September 10, 2004

CERTIFICATE OF SERVICE

I have served the foregoing pleading by electronic or by U.S. mail, postage prepaid addressed to all parties by their attorneys of record and applicants for intervention as shown in the records of the Commission.



Stuart W. Conrad

Dated: September 10, 2004