



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

JEREMIAH W. (JAY) NIXON
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

October 24, 2005

FILED²

OCT 24 2005

Missouri Public
Service Commission

HAND DELIVERED

Cully Dale
Secretary/Chief Regulatory Law Judge
Public Service Commission
Governor's Office Building
Madison & E. Capitol
Jefferson City, MO 65101

RE: *In the Matter of an Investigation into the Status of Missouri's Natural Gas Local Distribution Companies' Compliance with Commission Rule 4 CSR 240-40.018, Case No. GW-2006-0110*

Dear Judge Dale:

Enclosed for filing in the above-referenced case are the original and 8 copies of the State of Missouri's Application to Intervene. Thank you for your attention to this matter.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General

Ronald Molteni
Assistant Attorney General

Enclosures

cc: All Parties on the Service List

FILED²

OCT 24 2005

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

Missouri Public
Service Commission

In the Matter of an Investigation into the Status)
of Missouri's Natural Gas Local Distribution) Case No. GW-2006-0110
Companies' Compliance with Commission Rule)
4 CSR 240-40.018)

STATE OF MISSOURI'S
APPLICATION TO INTERVENE

The State of Missouri, through the Attorney General, seeks to intervene in order to protect its interest in having reliable natural gas service at reasonable and lawful rates. The State submits this application to intervene pursuant to 4 CSR 240-2.075(4). In support of its application, the State of Missouri states:

1. Jeremiah W. (Jay) Nixon is the duly elected Attorney General of the State of Missouri and, as such, is authorized by law pursuant to § 27.060, RSMo 1994, to appear and *interplead on behalf of the State of Missouri in any proceeding in which the State's interest may be involved.*

2. The State of Missouri and its constituent agencies, departments, and institutions (collectively referred to as the "State") are major consumers of utility services throughout the State generally, including natural gas, and the procurement of utility services for the State of Missouri is made entirely of public funds, thereby necessitating state intervention.

3. Because the State is a consumer of natural gas services, the State has a significant interest in this matter, in addition to and apart from that of the general public. The State's interest cannot be protected adequately by any other party to this proceeding.

4. The State, therefore, adequately satisfies the relevant standards for intervention within 4 CSR 240-2.075(4).

5. The granting of this application will in no way delay this proceeding nor unduly expand its scope.

6. This application to intervene is filed on a timely basis.

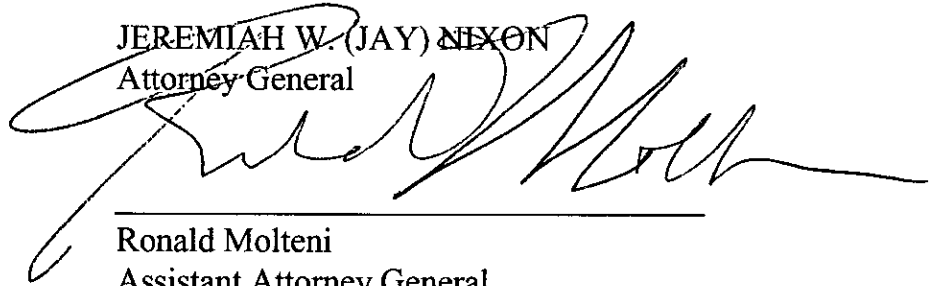
7. There is insufficient information currently available to identify individual issues that may arise in this case that may affect the State's interests. Consequently, the State reserves the right to take a position and participate with regard to any matter or issue arising in this case that may affect the State's interests.

8. If this application to intervene is granted, the State of Missouri requests that a copy of each document filed by any party to this proceeding be mailed or delivered to Ronald Molteni, Doug Micheel and Heidi Doerhoff, Assistant Attorneys General, Supreme Court Building, 207 West High Street, P.O. Box 899, Jefferson City, Missouri 65102.

WHEREFORE, the State of Missouri respectfully requests the Commission grant this application to intervene.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON
Attorney General

A large, stylized handwritten signature in black ink, which appears to read 'Ronald Molteni', is written over the printed name and title of the Attorney General.

Ronald Molteni
Assistant Attorney General
Missouri Bar No. 40946

Supreme Court Building
207 West High Street
P.O. Box 899
Jefferson City, MO 65102
Telephone: 573-751-8824
Telefax: 573-751-0774
ronald.molteni@ago.mo.gov
Attorneys for State of Missouri

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, this 24th day of October, 2005, to the parties listed below and those on the attached list:

Dana K. Joyce
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, Missouri 65102
GenCounsel@psc.mo.gov

Lewis R. Mills
Office of the Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, Missouri 65102
opcservice@ded.mo.gov

Dean L. Cooper
Aquila Networks
P.O. Box 456
312 East Capitol
Jefferson City, Missouri 65102
dcooper@brydonlaw.com

James M. Fischer
Atmos Energy Corporation and
Fidelity Natural Gas, Inc.
101 Madison Street, Suite 400
Jefferson City, Missouri 65101
jfischerpc@aol.com

Michael C. Pendergast
Laclede Gas Company
720 Olive Street, Suite 1520
St. Louis, Missouri 63101
mpendergast@lacledegas.com

Robert Hack
Missouri Gas Energy
3420 Broadway
Kansas City, Missouri 64111
rhack@mgemail.com



Assistant Attorney General