

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND
PROFESSIONAL CORPORATION

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN
CHARLES E. SMARR

312 EAST CAPITOL AVENUE
P.O. BOX 456
JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7166
FACSIMILE (573) 635-3847
E-MAIL: DCOOPER@BRYDONLAW.COM

DEAN L. COOPER
MARK G. ANDERSON
GREGORY C. MITCHELL
BRIAN T. MCCARTNEY
DIANA C. FARR
JANET E. WHEELER

OF COUNSEL
RICHARD T. CIOTTONI

March 5, 2003

Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED³

MAR 05 2003

RE: Case No. GR-2003-0311

Missouri Public
Service Commission

Dear Mr. Roberts:

Enclosed please find an original and eight copies of a Motion for Waivers Concerning Unscheduled PGA Filing filed on behalf of Aquila Networks - MPS. Please file stamp the enclosed extra receipt copy and return to me for my records.

If you have any questions concerning this matter, then please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:


Dean L. Cooper

DLC/tli
Enclosures
cc: Robert Franson
Douglas Micheel

FILED³

MAR 05 2003

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

In the Matter of Aquila Networks - MPS's
Purchased Gas Adjustment

)
)

Case No. GR-2003-0311

MOTION FOR WAIVERS
CONCERNING UNSCHEDULED PGA FILING

Comes now Aquila, Inc., d/b/a Aquila Networks - MPS ("MPS"), in accordance with Commission Rule 4 CSR 240-2.060(14), and as its motion for waivers from certain aspects of MPS's P.S.C. No. 5, 4th Revised Sheet No. 34 and P.S.C. No. 5, 5th Revised Sheet No. 35, states to the Missouri Public Service Commission ("Commission") as follows:

1. On March 3, 2003, MPS filed in this case tariff sheets designed to reflect unscheduled changes in its Purchased Gas Adjustment ("PGA") factors for its Northern and Southern Systems.

PUTS AND CALLS ADJUSTMENT WAIVER

2. The interim rates proposed by these tariffs include a reduction in the cost of gas on the Northern and Southern Systems related to puts and calls activity. MPS and the Staff reached an agreement in Case No. GR-2001-461 to make such adjustments. The agreement was reflected in testimony (See Direct Testimony of Staff Witness Phil Lock, Sch. 1) and therefore was not a contested issue in Case No. GR-2001-461.¹

3. MPS believes that there is no reason to delay these adjustments and that it is in the

¹ A Unanimous Stipulation and Agreement was filed in that case on January 29, 2003, and has not yet been approved by the Commission. While the Stipulation describes the above agreement, MPS has made a commitment to make this adjustment in testimony and no contested issue exists as to the puts and calls issue in Case No. GR-2001-461.

interest of its customers to make the adjustments at this time.

4. Such adjustments are beyond the factors identified in MPS's P.S.C. No. 5, 4th Revised Sheet No. 34 and P.S.C. No. 5, 5th Revised Sheet No. 35. Therefore, for the reasons stated above, MPS hereby requests a waiver from MPS's P.S.C. No. 5, 4th Revised Sheet No. 34 and P.S.C. No. 5, 5th Revised Sheet No. 35 to allow MPS to make the identified adjustments with its unscheduled changes to its PGA factors.

NORTHERN SYSTEM THRESHOLD WAIVER

5. MPS's P.S.C. No. 5, 4th Revised Sheet No. 34 provides in part that the "Company may also make an unscheduled PGA filing in each winter period, provided that at the time of such a filing there is a projected under recovery in the Deferred Carrying Cost Balance, as defined in Carrying Costs, Sheet No. 36, equal to or greater than fifteen percent of the Company's Annual Gas Cost Level. . . ."

6. At the time of filing, the Southern System DCCB under recovery represents 17.85% of the Company's Annual Gas Cost Level and, therefore, exceeds the above threshold. However, MPS's Northern System DCCB under recovery represents 13.87% of the Company's Annual Gas Cost Level.

7. While the Northern System percentage is slightly less than the 15% threshold specified by the tariff, MPS believes that it is important to make the unscheduled adjustment in order to keep the under recovery balance at a manageable level. Historically, there are not enough volumes in the summer to significantly reduce the under recovery. If the change is instead made as proposed in this unscheduled filing, there may be enough volumes prior to the summer to reduce the under recovery. Failure to make the change at this time may exasperate the problem and have an adverse

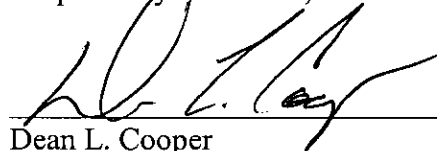
effect on the following heating season.

8. Therefore, MPS seeks a waiver from MPS's P.S.C. No. 5, 4th Revised Sheet No. 34 to allow MPS to make an unscheduled filing at this time for its Northern System.

WHEREFORE, MPS requests a Commission order:

- a) granting MPS a waiver from MPS's P.S.C. No. 5, 4th Revised Sheet No. 34 and P.S.C. No. 5, 5th Revised Sheet No. 35 to allow MPS make the adjustments reflected in the Direct Testimony of Staff Witness Phil Lock (Sch. 1) in Case No. GR-2001-461;
- b) granting MPS a waiver from MPS's P.S.C. No. 5, 4th Revised Sheet No. 34 to allow MPS to make an unscheduled PGA filing for the Northern System; and,
- c) granting such further relief as is consistent with the relief requested herein.

Respectfully submitted,



Dean L. Cooper MBE#36592
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
(573) 635-7166
(573) 635-3847 facsimile
dcooper@brydonlaw.com

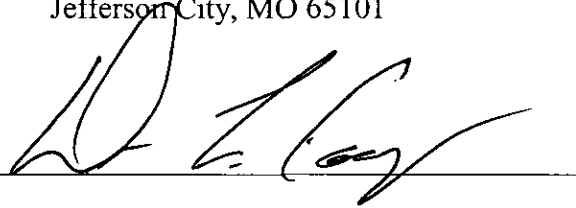
ATTORNEYS FOR AQUILA, INC. D/B/A
AQUILA NETWORKS - MPS

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered on March 5th, 2003, to the following:

Robert Franson
Office of the General Counsel
Governor Office Building
Jefferson City, Mo 65101

Douglas Micheel
Office of the Public Counsel
Governor Office Building
Jefferson City, MO 65101

A handwritten signature in black ink, appearing to read "D. Micheel", is written over a horizontal line.