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RICHARD T. CIOTTONI

January 8, 2003

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

FILED³

JAN 08 2003

RE: Case No. GC-2003-0131

**Missouri Public
Service Commission**

Dear Mr. Roberts:

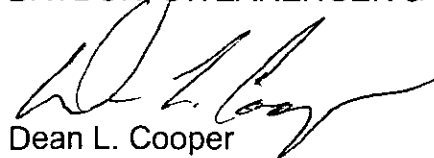
Enclosed please find an original and eight copies of the Motion for Leave to Amend Answer filed on behalf of Aquila, Inc. Please file stamp the enclosed extra receipt copy and return to me for my records.

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 Berlin
Douglas Micheel
Whitney R. Hunt

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³
JAN 08 2003

Missouri Public
Service Commission

Whitney R. Hunt,

Complainant,

v.

Aquila, Inc.,

Respondent.

Case No. GC-2003-0131

MOTION FOR LEAVE TO AMEND ANSWER

COMES NOW Aquila, Inc. ("Aquila"), by and through its counsel, and as its Motion for Leave to Amend Answer states as follows to the Missouri Public Service Commission ("Commission"):

1. Commission Rule 4 CSR 240-2.080(20) provides that a pleading may be amended within ten (10) days of filing, or at any time by leave of the Commission.

2. On January 7, 2003, the Commission issued its Order Setting Aside Default Order, Granting Leave to File Answer, and Directing a Staff Investigation. Among other things, this order granted Aquila's motion to file its answer and accepted as filed Aquila's answer which was attached to its Motion to Set Aside Order Granting Default.

3. It has been brought to counsel's attention that the answer deemed filed by the Commission contains two erroneous references to a company other than Aquila.

4. Thus, Aquila seeks to amend its answer to correctly reference Aquila. Attached hereto as Appendix A is Aquila's First Amended Answer to Complaint.

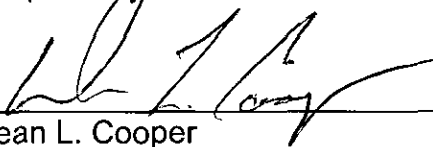
5. It is possible that because of the posture of this matter amending its

answer "within ten (10) days of filing" and does not need leave to do so. However, in an abundance of caution, Aquila seeks the Commission's leave in order to remove any question about the matter.

6. A Commission grant of the requested leave to amend will not change the underlying substantive issues to be addressed by the Commission and would clarify the answer to be considered by the Commission. Therefore, a grant of this motion should not prejudice any of the parties and may assist with the efficient and economic progress of this litigation.

WHEREFORE, Aquila prays for an order granting its Motion for Leave to Amend Answer and directing that the attached Aquila's First Amended Answer to Complaint be filed with the Commission.

Respectfully submitted,



Dean L. Cooper MBE#36592
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ATTORNEYS FOR AQUILA, INC.

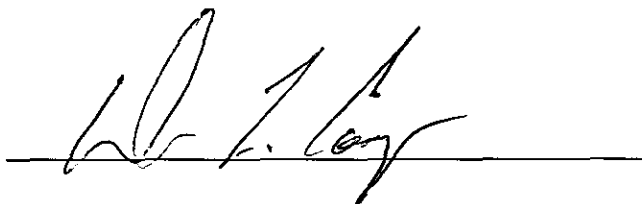
CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered or sent by U.S. Mail, postage prepaid, on January 8, 2003, to the following:

Robert Berlin
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

Whitney R. Hunt
P.O. Box 97
Maryville, Missouri 64468

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

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

Whitney R. Hunt,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2003-0131
)	
Aquila, Inc.,)	
)	
Respondent.)	

AQUILA’S FIRST AMENDED ANSWER TO COMPLAINT

COMES NOW Aquila, Inc. (“Aquila”), by and through its counsel, and, pursuant to 4 CSR 240-2.070, respectfully states the following to the Missouri Public Service Commission (“Commission”) as its first amended answer and affirmative defenses to the Complaint filed by Whitney R. Hunt (“Complainant”):

1. Aquila admits that it is a public utility subject to the jurisdiction of the Commission, as provided by law.

2. Correspondence, communications, orders and decisions regarding this matter should be addressed to:

Dean L. Cooper
Brydon, Swearengen & England P.C.
312 E. Capitol Avenue
Jefferson City, MO 65101
(573) 635-7166
(573) 635-0427 facsimile
dcooper@brydonlaw.com

3. Aquila admits that it previously provided natural gas and electric service to one Whitney R. Hunt at 623 W. 3rd, Maryville, Missouri.

4. Aquila previously received an informal inquiry from the Commission Staff on August 16, 2002 regarding Whitney R. Hunt. This inquiry was addressed with responses on August 16 and August 30.

5. The Hunt family had a number of rental properties in Maryville, Missouri, which were sublet with utilities included in the monthly rent. The Hunts consistently paid the minimum on their utility bills to keep them accounts from being disconnected. Payments were consistently timed to take advantage of the cold weather rules and summer heat index rules. Over the past several years, the arrearages related to these accounts have grown substantially. Aquila's attempts to collect past due amounts have been hampered as the Hunts transferred accounts from the parents to children and changed account names. The following names have been used to shift service to new accounts so that service could be maintained: Adrian Hunt, Bud Hunt, Cyndi Hunt, Cindy Hunt, Adrianne Hunt, Ashley Hunt, Brandon Hunt, Whitney Hunt, and a variety of similar names with similar spellings.

6. Over the past several years, the Hunts have been forced to put the rental accounts into the names of their renters. The family now owns a small number of rentals in the parent or Complainant's (Whitney) names. Approximately \$14,000 in arrearages relating to the Hunt's rental properties have been transferred to a single account, which was disconnected in August.

7. After the account was disconnected, the Hunts attempted to reestablish service through the Aquila call center. Cyndi Hunt previously visited the Maryville office, and was offered the opportunity to reconnect service with a \$3,500 initial payment and a payment agreement for three \$3,500 monthly payments. This offer was rejected by the Ms. Hunt.

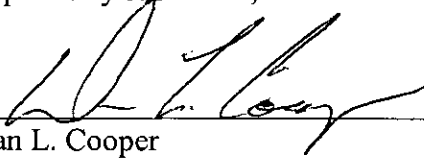
8. Except as expressly admitted in this answer, Aquila denies each and every other allegation contained in Complainants' Complaint.

9. Further answering, Aquila states that it has acted in accordance with its tariffs.

10. Further answering and for its first affirmative defense, Respondent states that the Complaint fails to state a claim upon which relief may be granted.

WHEREFORE, having fully answered and set forth its affirmative defenses, Respondent Aquila, Inc. d/b/a Aquila Networks - MPS, prays the Commission dismiss Respondent's Complaint and discharge Respondent with its costs herein expended and enter such other orders and relief as the Commission deems reasonable and just.

Respectfully submitted,



Dean L. Cooper MBE#36592
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(573) 635-3847 facsimile
dcooper@brydonlaw.com

ATTORNEYS FOR AQUILA, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered or sent by U.S. Mail, postage prepaid, on January 9, 2003, to the following:

Robert Berlin
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

Whitney R. Hunt
P.O. Box 97
Maryville, Missouri 64468

