

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND

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

PROFESSIONAL CORPORATION
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. CIOTTONE

September 4, 2003

FILED²

SEP 04 2003

Missouri Public
Service Commission

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

RE: Aquila, Inc.

Dear Mr. Roberts:

Enclosed please find an original and eight copies of Response to Motion to Adjust Starting Time for Early Prehearing Conference and Objection to the Application to Intervene of the City of Kansas City filed on behalf of Aquila, Inc. Please file stamp the enclosed extra receipt copy and return to me for my records.

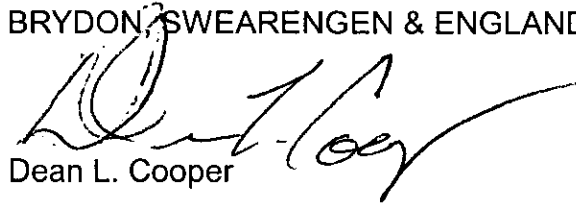
If you have any questions concerning this matter, then please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

Dean L. Cooper



DLC/llv
Enclosures
cc: Parties of Record
RLJ Vicky Ruth

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

In the Matter of Aquila, Inc. d/b/a)
Aquila Networks - L&P and Aquila) Case No. GR-2004-0072
Networks - MPS to Implement a)
General Rate Increase in Natural Gas Rates)

**OBJECTION TO THE APPLICATION TO INTERVENE
OF THE CITY OF KANSAS CITY**

COMES NOW Aquila, Inc., d/b/a Aquila Networks - MPS and Aquila Networks - L&P (“Aquila” or “Company”) and, as its objection to the Application to Intervene filed by the City of Kansas City, Missouri (“Kansas City”), states as follows to the Missouri Public Service Commission (“Commission”):

1. On August 26, 2003, Kansas City filed its Application to Intervene wherein it stated that “Kansas City is itself a large consumer of energy supplied by Aquila. Kansas City is interested in the impact of any decisions in this proceeding on behalf of itself and its residents and businesses.”

2. Commission Rule 4 CSR 240-2.075(4) states that “the commission may on application permit any person to intervene on a showing that –

(A) The proposed intervenor has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or

(B) Granting the proposed intervention would serve the public interest.”

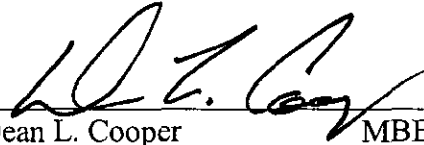
3. Aquila objects to Kansas City’s Application to Intervene based on two factors. First, Aquila does not supply natural gas to Kansas City. Thus, Kansas cannot be “affected by a final order arising from this case” as Aquila’s regulated cost of natural gas does not impact Kansas City.

4. Second, Aquila’s natural gas service territory does not enter into the city limits of

Kansas City. Therefore, Kansas City's residents and businesses would likewise not be impacted by the cost of natural gas resulting from this case and no "public interest" would be served by Kansas City's intervention.

WHEREFORE, Aquila respectfully requests the Commission issue its order denying Kansas City's Application to Intervene.

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 AND
AQUILA NETWORKS - L&P

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered on September 4th, 2003, to the following:

Thomas R. Schwarz, Jr.
Office of the General Counsel
Governor Office Building, 8th Floor
Jefferson City, Mo 65101

Douglas Micheel
Office of the Public Counsel
Governor Office Building, 6th Floor
Jefferson City, MO 65101

Mr. Stuart W. Conrad
Finnegan, Conrad & Peterson, L.C.
Penntower Office Center
3100 Broadway, Suite 1209
Kansas City, MO 64111

James M. Humphrey
Shughart Thomson & Kilroy P.C.
Twelve Wyandotte Plaza
120 West 12th Street
Kansas City, MO 64105

Mark Comley
Newman, Comley & Ruth P.C.
P.O. Box 537
Jefferson City, MO 65102-0537

