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August 26, 2003

**FILED<sup>3</sup>**

**AUG 26 2003**

**Missouri Public  
Service Commission**

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

Re: Case No. GR-2004-0072

Dear Judge Roberts:

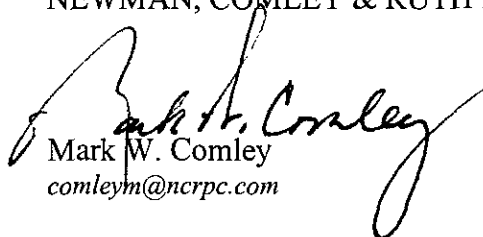
Enclosed for filing in the above referenced matter, please find the original and five copies of an Application to Intervene.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

  
Mark W. Comley  
comleym@ncrpc.com

MWC:ab

Enclosure

cc: Office of Public Counsel  
General Counsel's Office  
William D. Geary  
Dean L. Cooper  
Stuart W. Conrad

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

**Missouri Public  
Service Commission**

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

**APPLICATION TO INTERVENE**

COMES NOW the City of Kansas City, Missouri (hereinafter sometimes Kansas City), pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its Application to Intervene respectfully states:

1. The City of Kansas City, Missouri, is a municipality of the State of Missouri.
2. Correspondence, communications, orders and the decision in this matter should be

addressed to:

William D. Geary  
Assistant City Attorney  
2700 City Hall  
414 E. 12th St.  
Kansas City, MO 64106  
Telephone No.: 816/513-3118  
Fax No.: 816/513-3133

Mark W. Comley  
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P.O. Box 537  
Jefferson City, MO 65102-0537  
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3. This case arose when Aquila, Inc. d/b/a Aquila Networks – MPS and Aquila Networks – L&P (collectively “Aquila”) filed an application for a general rate increase for natural gas service. On August 20, 2003, the Commission issued an order and notice directing that interested parties wishing to intervene must do so on or before September 9, 2003. This application is therefore

timely.

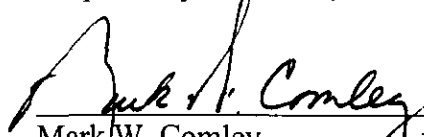
4. Kansas City is itself a large consumer of energy supplied by Aquila. Kansas City is interested in the impact of any decisions in this proceeding on behalf of itself and its residents and businesses. It desires to participate fully in this proceeding including hearing and the briefing of the issues.

5. At this time, Kansas City is uncertain of the position it will take in this matter.

6. Granting the proposed intervention would serve the public interest.

WHEREFORE, for the foregoing reasons, the City of Kansas City, Missouri, respectfully requests that the Commission grant its Application to Intervene in this matter, and thereby entitle the City to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,

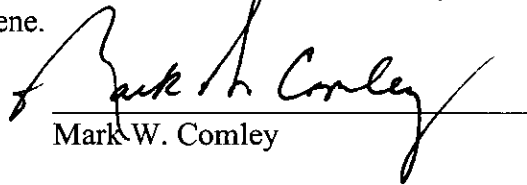
  
Mark W. Comley #28847  
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(573) 636-3306 (FAX)

Attorneys for City of Kansas City, Missouri

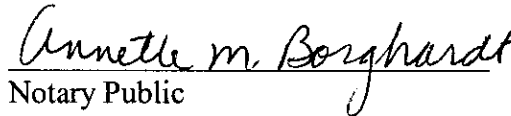
ATTORNEY VERIFICATION

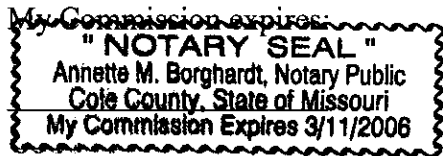
STATE OF MISSOURI     )  
  ) ss.  
COUNTY OF COLE     )

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for The City of Kansas City, Missouri which seeks intervention in the above captioned proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

  
\_\_\_\_\_  
Mark W. Comley

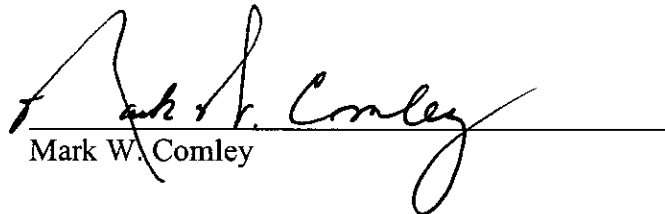
Subscribed and sworn to before me, a Notary Public, this 26<sup>m</sup> day of August, 2003.

  
\_\_\_\_\_  
Notary Public



Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 26<sup>th</sup> day of August, 2003, to General Counsel's Office at gencounsel@psc.state.mo.us; Office of Public Counsel at opcservice@ded.state.mo.us; Dean L. Cooper at dcooper@brydonlaw.com; Stuart W. Conrad at stucon@fcplaw.com; and Stacia L. Norder at Stacia.Norder@koleyjessen.com.

  
\_\_\_\_\_  
Mark W. Comley