

LAW OFFICES
SMITHYMAN & ZAKOURA
CHARTERED
750 COMMERCE PLAZA II
7400 WEST 110TH STREET
OVERLAND PARK, KANSAS 66210-2362
(913) 661-9800
TELECOPIER (913) 661-9863

LEE M. SMITHYMAN
JAMES P. ZAKOURA

PRACTICE IN KANSAS AND MISSOURI

ARTHUR E. RHODES
CONSTANCE L. SHIDLER
NANCY J. CRAWFORD

ROBERT W. NAIBERT

November 29, 2005

FILED³

NOV 30 2005

SECRETARY OF THE MISSOURI PUBLIC SERVICE COMMISSION
200 Madison Street
Jefferson City, Missouri 65102-0360

Missouri Public
Service Commission

Re: In the Matter of the Joint Application of Aquila, Inc. , d/b/a Aquila Networks, MPS and Aquila Networks, L&P ("Aquila"), The Empire District Gas Company ("EDG") For an Order Authorizing the Sale, Transfer And Assignment of Certain Assets and Liabilities from Aquila to EDG and in Connection Therewith Certain Other Related Transactions.
Public Service Commission Case No. GO-2006-0205

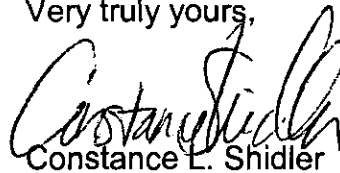
Dear Secretary:

Please accept the original and nine copies of the attached Application to Intervene of Crane Plumbing, L.L.C., for filing in the above-referenced docket.

Please return one copy of the Application "filed" stamped, at your earliest convenience in the enclosed addressed, stamped envelope.

Thank you for your consideration in this matter.

Very truly yours,



Constance L. Shidler

For

SMITHYMAN & ZAKOURA, CHARTERED

CLS:lhf

FILED³

NOV 30 2005

Missouri Public
Service Commission

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

**In the Matter of the Joint Application of)
Aquila, Inc. , d/b/a Aquila Networks, MPS)
And Aquila Networks, L&P ("Aquila"),)
The Empire District Gas Company ("EDG"))
For an Order Authorizing the Sale, Transfer)
And Assignment of Certain Assets and)
Liabilities from Aquila to EDG and in)
Connection Therewith Certain Other)
Related Transactions.)**

Case No. GO-2006-0205

**APPLICATION TO INTERVENE
OF
CRANE PLUMBING, L.L.C.**

COMES NOW Crane Plumbing, L.L.C. ("Crane"), a Delaware Limited Liability Company duly registered to do business in the state of Missouri, pursuant to Commission Rule 4 CSP 240-2.075 and the Commission's Order and Notice issued in this matter on November 10, 2005, and hereby makes application to intervene and to become a party herein. In support thereof, Crane respectfully states the following relevant facts:

1. Crane Plumbing, L.L.C., is a Delaware Limited Liability Company duly authorized to do business in Missouri. Crane is a manufacturer of plumbing fixtures and related items and has its principal place of business in Missouri at North Highway 71, Nevada, Missouri, 64772. Crane is a current customer of Aquila and currently utilizes natural gas transportation service from Aquila, and several years ago also purchased natural gas from Aquila.

2. All communications, correspondence, pleadings, orders and decisions regarding this proceeding should be directed to:

James P. Zakoura
Constance L. Shidler
SMITHYMAN & ZAKOURA, CHARTERED
750 Commerce Plaza
7400 West 110th Street
Overland Park, KS 66210
(913) 661-9800 / fax: (913) 661-9863

John Spencer
CRANE PLUMBING, L.L.C.
North Highway 71
Nevada, MO 64772
417-667-6048

3. On or about November 8, 2005, Aquila, Inc. d/b/a Aquila Networks-MPS and Aquila Networks-L&P (collectively "Aquila"), The Empire District Electric Company ("EDE") and The Empire District Gas Company ("EDG") (hereinafter "Joint Applicants") filed their Application in this matter with the Missouri Public Service Commission seeking authority to sell, transfer and assign certain assets and liabilities from Aquila to EDG. The Commission issued an Order and Notice dated November 10, 2005, ordering and giving notice to any interested party or person wishing to intervene in this case to file an application to intervene with the Secretary of the Commission on or before November 30, 2005.

4. A stable, reliable, and reasonably priced natural gas transportation supply is critical to the operations of Crane. Crane is deeply concerned with several issues related to the sale and assignment of the natural gas distribution assets from Aquila to EDG as follows:

1. EDG paid a significant amount over book value for the assets to be transferred. Crane is concerned about the affect that this premium will have on the rates it pays for transportation of natural gas.

2. Crane is concerned about the affect of this transaction on staffing, customer service and reliability of the natural gas system.

3. Crane is concerned about the affect that this transaction will have on natural gas distribution policies, practices and procedures.

4. Crane is concerned with the ability of EDG to operate the natural gas distribution system in question.

Crane submits that it has a unique interest in this transaction and this case which is materially different from that of the general public and which may be adversely affected by the final order that will issue in this case which no other party to the case will adequately protect.

5. In accordance with 4 CSR 240-2.075(2) Crane has not yet determined the position that it will take in this proceeding and reserves the right to protest the Joint Application.

WHEREFORE, Crane Plumbing, L.L.C., respectfully requests the Commission to grant its Application to Intervene, together with any further and or additional relief the Commission deems just and proper.

Respectfully submitted,

SMITHYMAN & ZAKOURA, CHARTERED

By: 
James P. Zakoura, KS BAR #7644
750 Commerce Plaza
7400 West 110th Street
Overland Park, Kansas 66210
(913) 661-9800 / FAX: (913) 661-9863
zakoura@smizak-law.com

SMITHYMAN & ZAKOURA, CHARTERED

By: Constance Shidler
Constance L. Shidler, KS #18402, MO #49530
750 Commerce Plaza
7400 West 110th Street
Overland Park, Kansas 66210
(913) 661-9800 / FAX: (913) 661-9863
shidler@smizak-law.com

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing pleading by postage prepaid first class U.S. mail, by e-mail, or by other electronic means, addressed to the representatives of all parties as shown by the records of the Commission on November 29, 2005, as follows:

SECRETARY OF THE MISSOURI PUBLIC SERVICE COMMISSION
200 Madison Street
Jefferson City, Missouri 65102-0360

James C. Swearngen
BRYDON SWEARENGIN & ENGLAND, PC
312 East Capitol Avenue, Box 456
Jefferson City, Missouri 65102

Charles Brent Stewart
Jeffrey A. Keevil
STEWART & KEEVIL
4603 John Garry Drive, Suite 11
Columbia, Missouri 65203

OFFICE OF THE PUBLIC COUNSEL
Governor Office Building
220 Madison Street, Suite 650, Box 2230
Jefferson City, Missouri 65102

Stuart W. Conrad
FINNEGAN CONRAD & PETERSON, L.C.
3100 Broadway, Suite 1209
Kansas City, Missouri 64111
Attorneys for Pittsburgh Corning Corporation

By: Constance Shidler
Constance L. Shidler