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October 22, 2003

FILED⁴

OCT 22 2003

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Missouri Public
Service Commission

**RE: In the Matter of Aquila, Inc. d/b/a Aquila Networks - L&P
and Aquila Networks - MPS, Case No. GR-2004-0072**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and eight (8) copies of Aquila, Inc.'s Notice and Motion to Strike. A copy of the foregoing document has been hand-delivered or mailed this date to each party of record.

If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:


Dean L. Cooper

DLC/jar

Enclosures

cc: Thomas R. Schwarz, Jr.
Douglas Micheel
Stuart W. Conrad
James M. Humphrey
Mark Comley

FILED⁴

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

OCT 22 2003

Missouri Public
Service Commission

In the Matter of Aquila, Inc. d/b/a Aquila)
Networks – L&P and Aquila Networks –)
MPS to Implement a General Rate Increase)
in Natural Gas Rates)

Case No. GR-2004-0072

NOTICE AND MOTION TO STRIKE

COMES NOW Aquila, Inc., d/b/a Aquila Networks - MPS and Aquila Networks - L&P ("Aquila" or "Company") and moves that this Commission strike the letter of protest, and supporting Petition signed by concerned citizens, received by the Commission on or about September 12, 2003, and filed in this case on October 17, 2003. In support of this motion, Aquila states as follows:

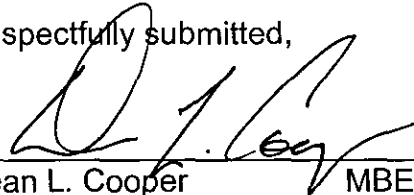
1. On October 17, 2003, a letter dated August 8, 2003, opposing "any increase in costs to the customers who are forced to purchase Aquila products," was filed in the present matter. The letter proceeds to set forth reasons for the opposition to any rate increase for Aquila in this matter, and is accompanied by a Petition containing the signatures and addresses of citizens who are opposed to any rate increase. The letter of protest and Petition were submitted to this Commission by James Guest, Missouri State Representative for the Fifth District.

2. Aquila hereby notifies this Commission that the individuals whose signatures appear on the citizens' Petition may be customers of Aquila for electric service, but are not customers of Aquila as to the provision of natural gas service, the subject matter of the above-captioned rate proceeding.

3. Because none of the individuals whose names appear in protest are actually consumers of Aquila's natural gas service, their objections to the requested increases should not be included in the record of the current proceeding.

WHEREFORE, for all of the above-stated reasons, Aquila respectfully requests that this Commission strike the letter of protest dated August 8, 2003, and the accompanying citizens' Petition, in their entirety, and further requests that these documents not be considered or relied upon in any manner in the above-captioned proceeding; Aquila further respectfully requests such other relief as may be appropriate in the circumstances.

Respectfully submitted,



Dean L. Cooper MBE#36592
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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 sent by first class mail or had delivered on this 22nd day of October 2003 to the following:

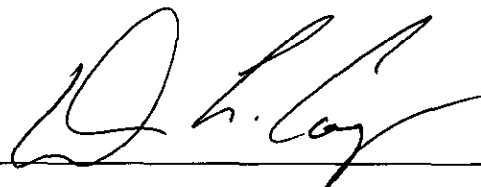
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A handwritten signature in black ink, appearing to read 'M. Comley', is written over a horizontal line.