PAUL C. JESSEN ALLEN E. DAUBMAN MARA L. RASURE MICHAEL M. HUPP DONALD L. SWANSON † M. SHAUN McGAUGHEY 1 MICHAEL C. COX \* † KURT F. TJADEN KAREN M. SHULER† GREGORY C. SCAGLIONE MARGARET C. HERSHISER MARK L PETERSON MICHAEL J. KING ROBERTA L. CHRISTENSEN MAX J. BURBACH DAVID M. DVORAK JOHN M. LINGELBACH MICHAEL S. MOSTEK MARY E. VANDENACK JOSEPH M. COLAIANO MARY A. DONOVAN

KOLEY JESSEN P.C.

A Limited Liability Organization

ATTORNEYS AT LAW

ONE PACIFIC PLACE, SUITE 800 1125 SOUTH 103 STREET OMAHA, NE 68124-1079

TELEPHONE (402) 390-9500 FACSIMILE (402) 390-9005

www.koleyjessen.com

Writer's E-Mail Address: Stacia.Norder@koleyjessen.com

> Writer's Direct Dial No: (402) 343-3834

August 20, 2003

JULIE A. SCHULTZ THOMAS F. ACKLEY BRIAN L. HARR © JOAN M. CANNON MATTHEW D. MASER CHARLES E. BENISH DAVID R. MAYER CAROL A. SEWELL I KATHY J. KIRSCHBAUM JENNIFER R. PETERSEN † A JEFFERY R. SCHAFFART ELIZABETH M. CALLAGHAN CHRISTOPHER J. BASILEVAC \* RICHARD D. VROMAN † STACIA L. NORDER

JAMES L. KOLEY, OF COUNSEL

Also Admitted In: \* Arizona † Iowa ‡ Colorado 1 Michigan □ Illinois △ South Dakota



AUG 2 5 2003

Missouri Public Service Commission

Dale Hardy Roberts Secretary to the Commission Missouri Public Service Commission 200 Madison Street, Suite 100 P.O. Box 360 Jefferson City, MO 65102

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

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case are the original and eight (8) copies of Cornerstone Energy, Inc.'s Application to Intervene. Thank you for your attention to this matter.

Sincerely yours,

ciar peder

Stacia L. Norder

Enclosures

cc: All Parties on the Service List Richard Haubensak

## STATE OF MISSOURI PUBLIC SERVICE COMMISSION

AUG 2 5 2003

Missouri Public Service Commission

 $F \| F \|^2$ 

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

) ) )

)

Case No. GR-2004-0072

## CORNERSTONE ENERGY, INC. APPLICATION TO INTERVENE

COMES NOW Cornerstone Energy, Inc. (hereinafter Cornerstone), pursuant to 4 C.S.R. 240-2.075 and respectfully applies to intervene in the above-styled matter and become a party hereto for all purposes in respect to the filing by Aquila, Inc. d/b/a/ Aquila Networks – MPS and Aquila Networks – L&P (hereinafter Aquila) of August 1, 2003. In support of this application, Cornerstone states as follows:

1. Correspondence or communications regarding this application, including service of all notices and orders of the Commission should be addressed to:

Richard Haubensak c/o Cornerstone Energy, Inc. 11011 Q Street, Suite 106A Omaha, NE 68137 Telephone: (402) 829-3966 Fax: (402) 829-3901 Email: dhaubensak@cornerenergy.com

James M. Humphrey Shughart Thomson & Kilroy P.C. Twelve Wyandotte Plaza 120 West 12th Street Kansas City, MO 64105 Telephone: (816) 421-3355 Fax: (816) 374-0509 Email: jhumphrey@stklaw.com Max J. Burbach Koley Jessen P.C., A Limited Liability Organization 1125 South 103 Street, Suite 800 Ornaha, NE 68124 Telephone: (402) 390-9500 Fax: (402) 390-9500 Email: Max.Burbach@koleyjessen.com 2. Cornerstone is a corporation organized under the laws of the State of Nebraska, is engaged in the natural gas marketing business in the States of Nebraska, Missouri, Minnesota, lowa, Kansas, and Michigan, and has its principal place of business in Omaha, Nebraska.

3. On August 1, 2003, Aquila filed proposed tariffs with the Commission intending to implement changes in its transportation services. Cornerstone is interested in any impact it may have upon the cost of its operations and the cost of natural gas transportation through Aquila's facilities.

4. Cornerstone requests participation in this proceeding because, as a marketer on the Aquila system, Cornerstone and its Missouri customers will be directly affected by the outcome of this proceeding. This interest, which differs from that of the general public, cannot be represented adequately by any other party to this proceeding and Cornerstone's intervention and participation in this proceeding will be in the public interest. Further, Cornerstone's participation in this proceeding will not prejudice the rights of any party.

5. For purposes of 4 C.S.R. 240-2.075(2), Cornerstone takes no position on the relief sought by Aquila as filed. However, Cornerstone reserves the right to assert a position as the case progresses.

WHEREFORE, Cornerstone hereby respectfully requests the Commission, for the reasons discussed above, to grant its Application to Intervene.

DATED this  $\frac{\partial O}{\partial t}$  day of August 2003.

2

Respectfully submitted,

an ( By:

Máx J. Burbach, Nebraska Bar #19786 Stacia L. Norder, Nebraska Bar #22459 KOLEY JESSEN P.C., A Limited Liability Organization 1125 South 103rd Street Suite 800 Omaha, NE 68124 (402) 390 9500 (402) 390 9005 (facsimile)

and

Ву:

James M. Humphrey, MO #50200 Shughart Thomson & Kilroy P.C. Twelve Wyandotte Plaza 120 West 12th Street Kansas City, MO 64105 (816) 421-3355 (816) 374-0509 (facsimile)

ATTORNEYS FOR CORNERSTONE ENERGY, INC.

. .

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the  $20^{1/2}$  day of August 2003, a true and correct copy of the foregoing Application to Intervene was served upon all parties by depositing a copy of the same in the United States regular mail, postage prepaid and properly addressed, to the following:

Missouri Public Service Commission Joyce K Dana 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102

Office Of The Public Counsel Coffman B John 200 Madison Street, Suite 640 P.O. Box 7800 Jefferson City, MO 65102

Aquila, Inc.-Investor(Gas) Amdor J Robert 1815 Capitol Avenue Omaha, NE 68102

Aquila, Inc.-Investor(Gas) Cooper Dean 312 East Capitol Ave Jefferson City, MO 65102-0456

Aquila, Inc.-Investor(Gas) Odell L Dennis 1815 Capitol Ave Omaha, NE 68102

Sedalia Industrial Energy Users Association-(All) Conrad Stu Suite 1209 3100 Broadway Kansas City, MO 64111

ia T pider Stacla L. Norder