

**STATE OF MISSOURI
MISSOURI PUBLIC SERVICE COMMISSION**

In the matter of Aquila, Inc. d/b/a)
Aquila Networks-L&P, for authority)
to file tariffs increasing steam) **HR-2005-0450**
rates for the service provided to)
customers in the Aquila Networks-)
L&P area.)

AG PROCESSING INC'S REPLY TO EMPIRE DISTRICT RESPONSE

Empire District's Response to AGP's objection to Empire's intervention in this case adds nothing new and confirms that Empire's asserted "interest" is no more than that of the general public, indeed, that of an interloper and meddler. Empire identifies only one issue -- depreciation -- in which it claims an interest. This is like arguing that it has an "interest" because it also uses a double entry accrual accounting system and wants to be sure that debits stay on the left and credits stay on the right. Such an interest differs not one whit from that of the public generally and fails to distinguish Empire from the gaggle of the public who may be "interested" (in the same sense that Kansas City Royals baseball fans are "interested" in the outcome of the All Star Game but have no legally cognizable interest in that outcome.

Empire's Response demonstrates no customer interest and no potential aggrievement, direct or indirect, in this proceeding. By silence it concedes that it neither operates in Aquila's steam service area, operates its own steam system, nor takes

steam service from Aquila. It does not compete with Aquila for steam customers in any locale in this state. Empire's attempt to interfere in this steam rate proceeding should be rejected.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



Stuart W. Conrad Mo. Bar #23966
3100 Broadway, Suite 1209
Kansas City, Missouri 64111
(816) 753-1122
Facsimile (816)756-0373
Internet: stucon@fcplaw.com

ATTORNEYS FOR AG PROCESSING INC.

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing Application to Intervene on each of the persons on the attached sheet either by postage-paid U.S. mail, by e-mail or by facsimile and on the petitioner for intervention to which this objection relates.

Dated: July 7, 2005



Stuart W. Conrad, an attorney for
Ag Processing Inc.