

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

In the Matter of an Examination of)	
the Class Cost of Service and Rate)	
Design in the Missouri Jurisdic-)	EO-2002-384
tional Electric Service Operations)	[EO2002384xxx]
of Aquila, Inc. (f/k/a UtiliCorp)	
United Inc.))	

COMMENTS OF SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION

Sedalia Industrial Energy Users' Association (SIEUA) offer these brief comments regarding Staff's latest objection to the proposed procedural schedule:

SIEUA concurs with Aquila's response filed on August 22, 2005 in this matter. We note only three brief points with respect to Staff's new objections:

First, Staff expresses concern regarding what it calls "proof of revenue," arguing that small numbers of customers could be eligible for two future rate categories and will rationally select the less costly category. More properly, this is called "migration analysis." Given that customers will move, if at all, to the less costly alternative, if Aquila doesn't perform this analysis, it is only Aquila who potentially stands to lose. Thought through, this argument is just another delaying tactic by Staff.

Second, Aquila correctly notes that Staff has presented a moving target. Staff clearly has "morphed" its requests to try to game this controversy. SIEUA cannot attach much credibility

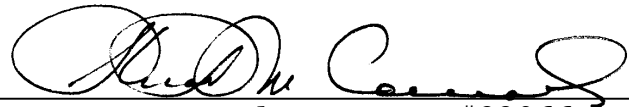
to Staff's complaints when Staff had every opportunity to clarify its requests, well in advance, if they were of such great concern. What Staff originally requested, Aquila's August 19 submission more than satisfies.

Third, what Staff seems to forget is that the purpose of this case -- based on Staff's own filed statements -- is to evaluate class cost of service against the **existing settled** rates^{1/} and establish revenue-neutral changes. Rates proposed in the current rate case are essentially irrelevant in achieving that objective, which is, after all, the purpose of **this** case.

WHEREFORE the Order of the Commission is prayed accordingly.

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

ATTORNEY FOR SEDALIA INDUSTRIAL
ENERGY USERS' ASSOCIATION

^{1/} Case No. ER-2004-0034 was settled, as to aggregate and class revenues, and even an IEC.

CERTIFICATE OF SERVICE

I hereby certify that I have sent true copies of the foregoing pleading either by United States Mail, facsimile or other electronic means, to the following on the date shown below.

Mr. Lewis R. Mills, Jr.
Missouri Public Counsel
Office of the Public Counsel
200 Madison Street
Suite 650
P. O. Box 2230
Jefferson City, MO 65101

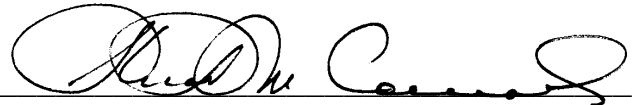
Mr. Mark W. Comley
Attorney
Newman, Comley & Ruth
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, MO 65101

Maj. Craig Paulson
Attorney
AFLSA/ULT
139 Barnes Drive
Suite 1
Tyndall AFB, FL 32403-5319

Mr. Jeremiah D. Finnegan
Partner
Finnegan, Conrad & Peterson,
L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, MO 64111

Mr. James C. Swearngen
Brydon, Swearngen & England,
P.C.
312 East Capitol Avenue
Jefferson City, MO 65101

Mr. Nathan Williams
Attorney
Missouri Public Service Com-
mission
200 Madison Street
Suite 100
Jefferson City, MO 65101



Stuart W. Conrad
An Attorney for SIEUA

August 23, 2005