

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of Aquila, Inc. d/b/a)
Aquila Networks-MPS and Aquila)
Networks-L&P, for authority to)
implement rate adjustments required)
by 4 CSR 240-20.090(4) and the)
company's claimed fuel and pur-)
chased power cost recovery mecha-)
nism

EO-2008-0415

APPLICATION TO INTERVENE OF
SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION

COMES NOW the SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIA-
TION ("SIEUA") pursuant to 4 C.S.R. 240-2.075 and applies to
intervene and to become a party in this proceeding. In support
thereof SIEUA states:

1. SIEUA is an unincorporated voluntary association
consisting of large commercial and industrial users of natural
gas and electricity in the Sedalia, Missouri and in the surround-
ing area. SIEUA was formed for the purpose of economical repre-
sentation of its members' interests through intervention and
other activities in regulatory and other appropriate proceedings.

2. Current members of SIEUA are as follows: **Pitts-**
burgh Corning Corporation, a manufacturer of cellular glass
insulation at its manufacturing facility in Sedalia, Missouri
where roughly 160 workers are employed; **Waterloo Industries**, a
manufacturer of tool storage equipment and employer of approxi-
mately 650 workers at its manufacturing facility in Sedalia,

Missouri; **Hayes-Lemmerz International** employs roughly 800 workers at its Sedalia, Missouri facility where it manufactures automobile wheels; **EnerSys Inc.** employs approximately 500 persons in its industrial battery manufacturing facility in nearby Warrensburg, Missouri; **Alcan Cable Co.** manufactures aluminum electrical conductors and employs 250 persons in its Sedalia, Missouri operation; **Gardner Denver Corporation** employs 320 workers at its Sedalia works where it makes industrial compressors and blowers; **American Compressed Steel Corporation** employs 35 workers in scrap metal recycling at its facility near Sedalia, Missouri; and **Stahl Manufacturing Company**, a major United States manufacturer of specialty and precision aluminum castings at facilities located in Warrensburg and Kingsville, Missouri, where approximately 1,100 workers are employed. Collectively, these SIEUA members provide gainful employment for approximately 3,815 workers in central Missouri.

3. SIEUA's interests in proceedings affecting the rates, terms and conditions of electric service from MPS have been previously recognized by the Missouri Public Service Commission in permitting SIEUA's intervention in numerous rate design and electric rate proceedings concerning Aquila and its predecessor UtiliCorp.

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

Stuart W. Conrad, Esq.
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5. On June 30, 2008 Aquila submitted proposed rate schedules to adjust charges in connection with its rate adjustment mechanism. An effective date of September 1, 2008 was requested.^{2/}

6. SIEUA are vitally interested in this proposed tariff, in its terms and conditions, and its impact on ratepayers generally and upon their operations in Missouri. As major electric customers of Aquila, SIEUA is in a position to be directly affected by the proposed increases and may be bound or adversely affected by any Commission order issued in this proceeding. Because Aquila provides electricity to SIEUA members under separate contracts or rate schedules and because of their size and load factor, they are in the unique position of representing

^{1/} Mr. Woodsmall is the firm's resident attorney at its Jefferson City Office. His Jefferson City address is: 428 East Capitol Avenue, Suite 300, Jefferson City, MO 65101,

^{2/} Prior decisions of the commission purporting to approve a rate adjustment mechanism for Aquila's MPS and L&P divisions are subject to multiple judicial review proceedings brought by this applicant and others. This application is submitted to protect substantial rights but is without prejudice to the positions taken and arguments made in those judicial review proceedings.

an interest in the MPS service district that will not and cannot be represented adequately by any other party and which interest is direct and immediate and differs from that of the general public. Therefore, it will aid the Commission and protect and advance the public interest that SIEUA be permitted to intervene in this proceeding so as to protect its members' interest which no other party is in a position properly to protect and adequately represent.

7. For purposes of 4 C.S.R. 240-2.075(2), SIEUA states that opposes discriminatory pricing of electricity and related utility services, is opposed to increases that are not reasonable or lawful and are not related to prudent costs that are incurred by the utility in providing utility service, is opposed to a utility being permitted to earn what may be an unreasonably high rate of return and recovering fuel and purchased power costs that are not authorized by lawful orders of the commission and have not previously been adjudicated to be prudently incurred.

WHEREFORE, SIEUA prays (without prejudice to later requests for relief): (a) that SIEUA be permitted to intervene herein and be made a party hereto with all rights to have notice of and participate in hearings to present evidence, cross-examine witnesses, file briefs and participate in argument, should any be had; (b) that a full procedural schedule be adopted providing for a hearing and the filing of exhibits and testimony; (c) that

following such investigation the matter be set for hearing before the Commission in which the applicant utility shall be put to its proof; and (d) for all other needful and proper relief appropriate in the premises.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



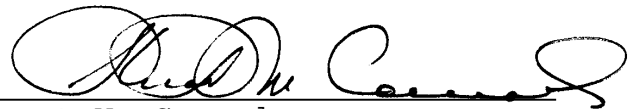
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ATTORNEYS FOR SEDALIA INDUSTRIAL
ENERGY USERS' ASSOCIATION

July 23, 2008

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Application for Leave to Intervene by U.S. mail, postage prepaid or by electronic mail addressed to all parties by their attorneys of record as made available by the Secretary of the Commission through its EFIS.



Stuart W. Conrad

Dated: July 23, 2008