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April 16, 2004

**FILED**

APR 16 2004

Missouri Public  
Service Commission

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

RE: *In the Matter of Aquila Networks - MPS's Purchased Gas Adjustment Factors to be reviewed in its 2003-2004 Actual Cost Adjustment*

Dear Mr. Roberts:

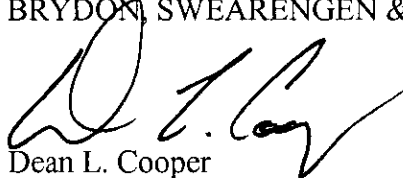
Enclosed for filing in the above-referenced matter are the original and eight copies of Aquila, Inc., d/b/a Aquila Networks - MPS's Motion for Waiver Concerning Summer PGA Filing. Please file stamp the enclosed extra receipt copy and return to me for my records.

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

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:



Dean L. Cooper

DLC/jar

Enclosures

cc: Tim Schwarz, PSC  
Douglas Micheel, OPC

FILED

APR 16 2004

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

Missouri Public  
Service Commission

In the Matter of Aquila Networks - MPS's )  
Purchased Gas Adjustment factors to be reviewed ) Case No. GR-\_\_\_\_\_  
in its 2003-2004 Actual Cost Adjustment. )

**MOTION FOR WAIVER**  
**CONCERNING SUMMER PGA FILING**

Comes now Aquila, Inc., d/b/a Aquila Networks - MPS ("Aquila"), in accordance with Commission Rule 4 CSR 240-2.060(4), and as its motion for a waiver from certain aspects of Aquila's P.S.C. No. 5, 4<sup>th</sup> Revised Sheet No. 34, states to the Missouri Public Service Commission ("Commission") as follows:

1. On April 16, 2004, Aquila filed proposed tariff sheets designed to implement its summer changes in its Purchased Gas Adjustment ("PGA") factors. The proposed tariff sheets contain an issue date of April 16, 2004, and a proposed effective date of April 30, 2004.

2. Aquila previously provided its summer PGA filing to the Commission on March 31, 2004, with tariff sheets containing proposed effective dates of April 15, 2004. However, Aquila was informed on April 15, 2004, that these sheets were not accepted for filing by the Commission. Thus, Aquila is seeking to refile the tariff sheets a day after having been informed of the Commission's position.

3. Aquila's P.S.C. No. 5, 4<sup>th</sup> Revised Sheet No. 34, states that Aquila shall make a "summer PGA" filing "between March 15 and April 4 of each year."

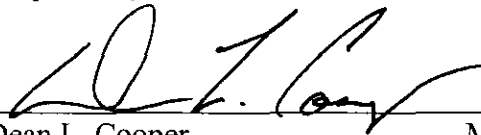
4. Because Aquila made a good faith attempt to file the summer PGA tariffs within the time period provided by tariff and because it was not informed of the Commission's position as to the tariffs until after that period had concluded, Aquila hereby requests a waiver from Aquila's

P.S.C. No. 5, 4<sup>th</sup> Revised Sheet No. 34 to allow Aquila to make the identified summer PGA filing as of April 16, 2004.

WHEREFORE, Aquila requests a Commission order:

- a) granting Aquila a waiver from Aquila's P.S.C. No. 5, 4<sup>th</sup> Revised Sheet No. 34 to allow Aquila to make its summer PGA filing on April 16, 2004; and,
- b) granting such further relief as is consistent with the relief requested herein.

Respectfully submitted,



Dean L. Cooper MBE#36592  
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ATTORNEYS FOR AQUILA, INC. D/B/A  
AQUILA NETWORKS - MPS

### CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered on April 16<sup>th</sup>, 2003 to the following:

Tim Schwarz  
Office of the General Counsel  
Governor Office Building  
Jefferson City, MO 65101

Douglas Micheel  
Office of the Public Counsel  
Governor Office Building  
Jefferson City, MO 65101

