



3. For purposes of 4 CSR 240-2.075(2), Wal-Mart states that it is opposed to discriminatory pricing of electricity and related utility services, is opposed to increases that are not reasonable and are not related to prudent costs that are incurred by the utility in providing utility service, and is opposed to a utility being permitted to earn what may be an unreasonably high rate of return. Wal-Mart is unable to state its position relating to the relief sought by Aquila. Wal-Mart is continuing to review Aquila's filing and reserves the right to take positions on specific issues as this case proceeds.

4. Wal-Mart's intervention will serve the public interest by assisting the record for the Commission's decision in this case.

5. As mentioned, Wal-Mart's application is one day past the intervention deadline previously set by the Commission. This delay is a result of the necessity of seeking various approvals within the company. Wal-Mart asserts that this delay should not prejudice any of the other parties in that nothing has occurred in this case in the interim. For instance, the Commission has yet to grant intervention to the other parties or to hold its early prehearing / scheduling conference.

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

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WHEREFORE, Wal-Mart respectfully requests that the Commission grant its Motion to Late File and its Application to Intervene.

Respectfully submitted,  
FINNEGAN, CONRAD & PETERSON, L.C.



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MBE #40747

ATTORNEYS FOR WAL-MART STORES, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.



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David L. Woodsmall

Dated: October 3, 2008