HENRY ANDRAE (Retired) RICHARD'S BROWNI FE III MICHAEL A. DALLMEYER DUANE E. SCHREIMANN DOUGLAS L. VAN CAMP MICHAEL G. BERRY JOHN W. KUEBLER SUSAN M. TURNER CHRISTOPHER P. RACKERS SARA C. MICHAEL BRIAN K. FRANCKA SHANE L. PARROW THOMAS G. PIRMANTGEN KEITH A. WENZEL ANDREW B. BLUNT HEATHER D. RICHENBERGER

# HENDREN AND ANDRAE, L.L.C. ATTORNEYS AT LAW

RIVERVIEW OFFICE CENTER
221 BOLIVAR STREET, SUITE 300
P.O. BOX 1069
JEFFERSON CITY, MISSOURI 65102

www.hendrenandrae.com

(573) 636-8135 (573) 636-5226 (FAX) RODNEY D. GRAY OF COUNSEL

HENRY ANDRAE (Retired)

JOHN H. HENDREN (1907-1988) CHARLES H. HOWARD (1925-1970) JOHN E. BURRUSS, JR. (1933-1985) GERALD E. ROARE (1956-1995)

E-MAIL

richardb@hendrenandrae.com

August 14, 2002

**FILED**<sup>4</sup>

Mr. Dale Hardy Roberts
Executive Secretary
Missouri Public Service Commission
200 Madison Street, PO Box 360
Jefferson City, MO 65102-0360

AUG 1 4 2002

Missouri Public Service Commission

RE: In the Matter of the Tariff Filing Of Aquila, Inc., d/b/a/ Aquila Networks-MPS - Case No. GT-2003-0039 Tariff No. 200300095

Dear Mr. Roberts:

Enclosed please find for filing the original plus eight (8) copies of a Motion To Intervene on behalf of Missouri School Boards' Association in the above-captioned matter.

If you should have any questions concerning the enclosed filing, please do not hesitate to contact me. Thank you.

Very truly yours,

HENDREN AND ANDRAE, L.L.C.

Richard S. Brownlee, III

RSB\s Enclosures All Counsel of Record Melissa Randol

FILED4

## BEFORE THE PUBLIC SERVICE COMMISSION

AUG 1 4 2002

#### OF THE STATE OF MISSOURI

Missouri Public Service Commission

In the	Matter of the Tariff	)	
Filing	Of Aquila, Inc. d/b/a	)	Case No. GT-2003-0039
Aguila	Networks-MPS	)	Tariff No. 200300095

### MOTION TO INTERVENE

COMES NOW, Missouri School Boards' Association (hereafter "MSBA") by and through its Counsel, Hendren and Andrae, L.L.C., Richard S. Brownlee, III, and for its Application to Intervene pursuant to 4 CSR 240-2.075 states:

- organized pursuant to Section 501(c)(6), IRC, and is comprised of a membership of 393 school districts with 1,995 school locations in the State of Missouri. MSBA's mission is to advance excellence in student achievement through school board leadership. MSBA pursues its mission by promoting beneficial cost saving programs for public schools, allowing more resources to be devoted to students and the educational process.
- 2. The Missouri Ninety-First General Assembly, Second Regular Session, passed CCS for SCS for HB 1402 which provided, inter alia, that gas corporations certificated by the Missouri Public Service Commission are required to file tariffs which allow the aggregate combination of natural gas supply and

transportation services, including storage, to enhance the purchasing requirement of eligible school entities. MSBA is authorized to coordinate and provide the aggregate purchasing of natural gas supplies and pipeline transportation services under the tariff's filed by applicant in this present proceeding on behalf of its eligible school entities in accordance with aggregate purchasing contracts negotiated by and through MSBA as a not-for-profit school association.

3. All correspondence dealing with this matter should be directed to:

Richard S. Brownlee, III Hendren and Andrae, L.L.C. 221 Bolivar Street P.O. Box 1069 Jefferson City, MO 65102 (573) 636-8135 (573) 636-4905 (Facsimile) Ms. Melissa Randol Missouri School Boards' Association 2100 I-70 Drive Southwest Columbia, MO 65203 (800) 221-6722 (573) 445-9981

- 4. MSBA and its members have a direct interest in this proceeding which is not similar to the public generally and which cannot be adequately represented by any other party to this proceeding. Further, by representing 393 school districts, the intervention of MSBA is in the interest of judicial economy and would serve the public interest as it relates to this proceeding.
- 5. A list of MSBAs' membership is attached hereto-marked EXHIBIT A.

WHEREFORE, MSBA respectfully requests the Court issue an Order permitting MSBA to intervene in the above-captioned matter.

Respectfully submitted,

HENDREN AND ANDRAE, L.L.C.

Richard S. Brownlee, III, #22422

221 Bolivar Street, Suite 300

P.O. Box 1069

Jefferson City, MO 65102

573) 636-8135

573) 636-4905 (Facsimile)

ATTORNEYS FOR INTERVENOR

# CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been mailed or and-delivered to the following on this  $14^{\rm th}$  day of August, 2002:

James C. Swearengen Brydon Swearengen & England PC 312 E. Capitol Avenue Jefferson City, MO 65101

Office of Public Counsel P.O. Box 7800 Jefferson City MO 65102

General Counsel MO Public Service Commission P.O. Box 360 Jefferson City MO 65102

Richard S. Brownlee, III