

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

In the Matter of the Application of)	
Aquila, Inc., d/b/a Aquila)	
Networks – MPS and Aquila)	
Networks – L&P for Authority to)	Case No. EO-2008-0046
Transfer Operational Control of)	
Certain Transmission Assets)	
to the Midwest Independent)	
Transmission System Operator, Inc.)	

APPLICATION TO INTERVENE

Comes now Midwest Independent Transmission System Operator, Inc. (Midwest ISO), pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its Application to Intervene respectfully states the following to the Commission:

1. The Midwest ISO is a Delaware non-stock corporation having a place of business at 701 City Center Drive, Carmel, Indiana 46032.¹ It is the Regional Transmission Organization (RTO) that provides operating and reliability functions in portions of 15 Midwestern states and one Canadian province. As Aquila, Inc. (Aquila) has set out in its application, the Federal Energy Regulatory Commission (FERC) approved the Midwest ISO as the nation's first RTO on December 20, 2001. The Midwest ISO first began selling transmission service under its FERC-approved Open Access Transmission Tariff on February 1, 2002. Currently, the Midwest ISO provides transmission services and energy market services pursuant to the terms of its Open Access Transmission and Energy Markets Tariff.

¹ Consistent with Commission's rules, attached hereto as Exhibit A is a certificate of good standing for the Midwest ISO issued by the Secretary of State for the state of Delaware.

2. Correspondence, communications, orders and the decision in this matter should be addressed to:

Stephen G. Kozey
Vice President, General Counsel and Secretary
701 City Center Drive,
Carmel, Indiana 46032.
Telephone No.: 317-249-5400
Fax No.: 317-249-5912

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NEWMAN, COMLEY & RUTH P.C.
P.O. Box 537
Jefferson City, MO 65102-0537
Telephone No.: 573-634-2266
Fax No.: 573-636-3306

3. This case arose when Aquila filed an application with the Commission for authority to transfer operational control of certain transmission assets to the Midwest ISO. On August 28, 2007, the Commission issued an order and notice directing that interested parties wishing to intervene must do so on or before September 17, 2007. This application is therefore timely.

4. The Midwest ISO has a direct interest in the outcome of this proceeding and therefore has an interest entirely different from that of the general public.

5. The Midwest ISO fully supports the relief sought by Aquila in its application.

6. Granting the proposed intervention would serve the public interest.

WHEREFORE, for the foregoing reasons, the Midwest Independent Transmission System Operator, Inc. respectfully requests that the Commission grant its Application to Intervene in this matter, and thereby entitle it to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,

/s/ Mark W. Comley

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Attorneys for MIDWEST INDEPENDENT
TRANSMISSION SYSTEM OPERATOR, INC.

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 17th day of September, 2007, to General Counsel's Office at gencounsel@psc.mo.gov; Office of Public Counsel at opcservice@ded.mo.gov.; Renee Parsons at renee.parsons@aquila.com; and Paul Boudreau at PaulB@brydonlaw.com.

/s/ Mark W. Comley

Delaware

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The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SEVENTEENTH DAY OF SEPTEMBER, A.D. 2007.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.

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Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6002934

DATE: 09-17-07