

**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	)	
Transfer Operational Control of Certain	)	Case No. EO-2008-0046
Transmission Assets to the Midwest	)	
Independent Transmission System	)	
Operator, Inc.	)	

**UNION ELECTRIC COMPANY d/b/a AMERENUE’S APPLICATION TO INTERVENE**

COMES NOW Union Electric Company d/b/a AmerenUE (“Company” or “AmerenUE”) and, pursuant to Commission Rule 4 CSR 240-2.075, respectfully requests that the Commission issue its order granting its Application to Intervene. For its Application, AmerenUE states as follows:

1. On August 20, 2007, Aquila, Inc. (“Aquila”) applied for authority to transfer functional control of certain of its transmission assets to the Midwest Independent Transmission System Operator, Inc (“MISO”). By order dated August 28, 2007, the Commission established an intervention deadline of September 17, 2007.

2. AmerenUE is an electric and gas public utility operating under the regulatory jurisdiction of this Commission. AmerenUE’s transmission system is under the functional control of the MISO, and under the terms of the permission and authority granted to AmerenUE by the Commission in Case No. EO-2003-0371, AmerenUE will be filing the results of a cost-benefit study and a pleading respecting AmerenUE’s continued participation in the MISO on or before November 1, 2007.

3. Aquila’s application will or could address numerous issues relating to the MISO’s operations, costs and benefits associated with participation in the MISO, or other facets of

MISO's functional control of Missouri transmission systems, all of which could have relevance to AmerenUE's continued participation in the MISO. Moreover, Aquila's only electrical connection to the MISO is through AmerenUE's transmission system.

4. The Commission's rules allow intervention in two circumstances, as follows:

Where "the proposed intervenor has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case"; or

Where "[g]ranting the proposed intervention would serve the public interest. 4 CSR 240-2.075(4).

5. Given AmerenUE's current participation in the MISO, its own upcoming MISO-related docket, and the fact that Aquila would be interconnected to the MISO solely through AmerenUE's transmission system, AmerenUE has an interest that is different from that of the "general public" which may be adversely affected by a final order in this case.

6. In addition, AmerenUE's intervention will serve the public interest. AmerenUE is the only regulated, investor-owned Missouri utility who has been a transmission owner within the MISO and consequently AmerenUE has experience with the MISO's operations. That experience may be relevant to Aquila's Application herein.

7. 4 CSR 240-20.075(2) also requires that AmerenUE state whether it supports or opposes the relief sought or whether it is unsure of the position it will take. At this time, AmerenUE is unsure of the position it will take in this case given that this case was only recently filed and AmerenUE was not a participant in the pre-filing discussions occurring between Aquila and various Aquila stakeholders respecting Aquila's proposed MISO participation.

WHEREFORE, AmerenUE respectfully requests that it be allowed to intervene in the above-captioned case.

Dated: September 13, 2007

Respectfully submitted,

SMITH LEWIS, LLP

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via e-mail on the following parties on the 14<sup>th</sup> day of September, 2007.

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