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RICHARD T. CIOTTONE

February 21, 2003

Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED³

FEB 21 2003

RE: Case No. EO-2003-0271

Missouri Public
Service Commission

Dear Mr. Roberts:

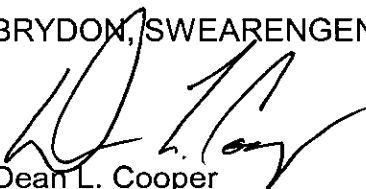
Enclosed please find an original and eight copies of Aquila's Application to Intervene. Please file stamp the enclosed extra receipt copy and return to me for my records.

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

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:


Dean L. Cooper

DLC/tli

Enclosures

cc: John B. Coffman
David B. Hennen
Steven Dottheim
Denny Williams

FILED³

FEB 21 2003

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

In re: Application of Union Electric Company)
for Authority to Participate in the Midwest)
ISO through a Contractual Relationship)
with GridAmerica)
Case No. EO-2003-0271

AQUILA'S APPLICATION TO INTERVENE

COMES NOW Aquila, Inc. ("Aquila"), pursuant to Missouri Public Service Commission ("Commission") Rule 4 CSR 240-2.075, and states as follows as its Application to Intervene Out of Time:

1. Aquila is a Delaware corporation with its principal office and place of business at 20 West 9th Street, Kansas City, MO 64138. Aquila is authorized to conduct business in Missouri through its Aquila Networks-MPS and Aquila Networks-L&P operating divisions and, as such, is engaged in providing electrical, natural gas and heating company utility service in Missouri in those areas certificated to it by the Commission. A certified copy of Aquila's Amended Certificate of Authority to do business in this state as a foreign corporation was filed with the Commission in Case No. EU-2002-1053 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). Likewise, copies of the registrations of fictitious name of Aquila Networks-MPS and Aquila Networks-L&P were filed in Case No. EU-2002-1053 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G).

2. Aquila is an "electrical corporation," a "gas corporation," a "heating company" and a "public utility" as those terms are defined in Section 386.020 RSMo 2000. Consequently, it is subject to the jurisdiction and supervision of the Commission as provided by law.

3. Aquila has pending or final judgments or decisions against it from state or federal regulatory agencies or courts which involve customer service occurring within the three (3) years immediately preceding the filing of this application.

4. Aquila has no overdue Commission annual reports or assessment fees.

5. Pleadings, notices, orders and other correspondence and communications concerning this application should be addressed to the undersigned counsel and:

Mr. Dennis Williams, Manager
Missouri Electric Regulatory Affairs
Aquila, Inc.
10700 E. 350 Hwy.
P.O. Box 11739
Kansas City, MO 63138
Telephone: (816) 737-7857
Facsimile: (816) 737-7705
E-mail: denny.williams@aquila.com

6. On February 5, 2003, Union Electric Company d/b/a AmerenUE filed an application and motion for expedited treatment related to its proposed participation in the Midwest ISO. The Commission issued an Order Directing Notice and Setting Prehearing Conference on February 14, 2003, which, among other things, directed that any interested party wishing to intervene in this case file an application no later than February 24, 2003.

7. In consideration of Orders issued by, and Rule Making proceedings pending at, the FERC, Aquila intends to join the Regional Transmission Organization ("RTO") which will result from the merger of the Southwest Power Pool ("SPP") and the Midwest Independent Transmission System Operator ("MISO"). The RTO resulting from the merger of SPP and MISO is currently referred to as the "Resulting Company".

8. As an electric public utility subject to the jurisdiction of both this Commission

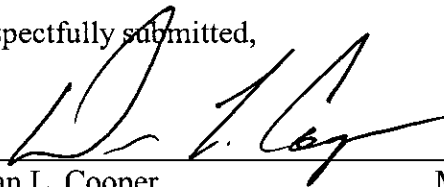
and FERC, Aquila has an interest in this matter and whatever recommendations may be submitted by Staff. Since Aquila anticipates filing an application with the Commission to transfer functional control of its transmission facilities to the Resulting Company, the Staff recommendations and any Commission Order regarding those recommendations will likely have some practical impact on Aquila's application. Accordingly, Aquila's interest in this proceeding is different from that of the general public and may be adversely affected by a final Commission Order in this matter.

9. Additionally, Aquila's intervention will serve the public interest. Permitting Aquila to express its opinion as to those Staff conditions in this case, will provide for a more efficient and timely review of the issues raised.

10. Aquila seeks to intervene in this matter for the purpose of addressing whatever conditions may be proposed by the parties.

WHEREFORE, Aquila prays that the Commission issue its order granting Aquila permission to intervene out of time in the above-entitled matter.

Respectfully submitted,



Dean L. Cooper MBE#36592
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(573) 635-3847 facsimile
dcooper@brydonlaw.com

ATTORNEYS FOR AQUILA, INC.

VERIFICATION

State of Missouri)

County of Jackson) ss

Dennis Williams, being first duly sworn, deposes and states that the aforesaid application is true and correct to the best of his knowledge, information, and belief.

Dennis Williams

Dennis Williams

Subscribed and sworn to before me this 20th day of February, 2003.

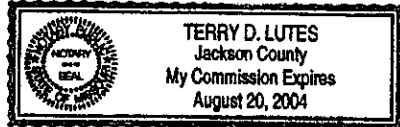
Terry D. Lutes

Notary Public

Terry D. Lutes

My Commission expires:

August 20, 2004



CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was, on this 21st day of February, 2003, sent via U.S. Mail, postage prepaid, or hand delivered, to the following:

John B. Coffman
Office of the Public Counsel
Governor State Office Building
6th Floor
Jefferson City, MO 65101

Steven Dottheim
Office of the General Counsel
Governor State Office Building
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Jefferson City, MO 65101

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P.O. Box 66149 (MC 1310)
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