

LAW OFFICES  
**BRYDON, SWEARENGEN & ENGLAND**  
PROFESSIONAL CORPORATION

DAVID V.G. BRYDON  
JAMES C. SWEARENGEN  
WILLIAM R. ENGLAND, III  
JOHNNY K. RICHARDSON  
GARY W. DUFFY  
PAUL A. BOUDREAU  
SONDRA B. MORGAN  
CHARLES E. SMARR

312 EAST CAPITOL AVENUE  
P.O. BOX 456  
JEFFERSON CITY, MISSOURI 65102-0456  
TELEPHONE (573) 635-7166  
FACSIMILE (573) 635-0427

DEAN L. COOPER  
MARK G. ANDERSON  
GREGORY C. MITCHELL  
BRIAN T. MCCARTNEY  
BRIAN K. BOGARD  
DIANA C. FARR  
JANET E. WHEELER

OF COUNSEL  
RICHARD T. CIOTTONÉ

August 12, 2002

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

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

AUG 12 2002

Missouri Public  
Service Commission

Re: GT-2003-0039

Dear Mr. Roberts:

Enclosed for filing on behalf of Aquila, Inc. d/b/a Aquila Networks - MPS, please find an original and eight (8) copies of Response of Aquila, Inc. to Order Directing Filing.

Copies of this filing are being provided to Office of the Public Counsel.

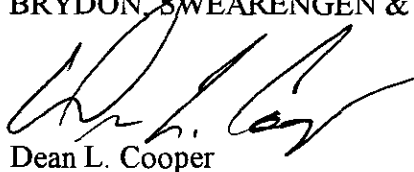
Please see that this filing is brought to the attention of the appropriate Commission personnel.

I thank you in advance for your cooperation in this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND, P.C.

By:



Dean L. Cooper

DLC/lar

Enclosure

cc: Doug Micheel  
Richard Brownlee

FILED<sup>4</sup>  
AUG 12 2002

Missouri Public  
Service Commission

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

In the Matter of the tariff filing of	)	
Aquila, Inc. d/b/a Aquila	)	Case No. GT-2003-0038
Networks - L&P	)	Tariff No. 200300096
	)	
In the matter of the tariff filing of	)	Case No. GT-2003-0039
Aquila, Inc. d/b/a Aquila	)	Tariff No. 200300095
Networks - MPS	)	

**RESPONSE OF AQUILA, INC. TO  
ORDER DIRECTING FILING**

Comes now, Aquila, Inc. d/b/a Aquila Networks - L&P and Aquila Networks - MPS ("Aquila"), and for its response to the order directing filing issued by the Missouri Public Service Commission ("Commission") in the caption-matters on August 8, 2002, respectfully states as follows:

1. By letter dated July 30, 2002, and received by the Commission on July 31, 2002, Aquila transmitted to the Commission for filing, pursuant to Section 393.190.1, RSMo, Aquila Networks - MPS gas tariff sheets 17-32 and 32.1 through 32.24 and Aquila Networks - L&P gas tariff sheets 7.1 through 7.4. All of said tariff sheets bore a date of issue of July 31, 2002, and an effective date of October 1, 2002, consistent with its prior discussions with the Commission Staff ("Staff"). Attached hereto as Appendix 1 is a copy of the transmittal letter accompanying said filing. Attached hereto as Appendix 2, is a copy of FedEx USA Airbill with Tracking No. 834224950620 indicating that said letter and filing was delivered to the Commission on July 31, 2002, and received by R. Doerhoff at 9:30 a.m. on that date.

2. Prior to this submission, Aquila's Robert Amdor spoke with Staff members

Warren Wood and Tom Imhoff on July 17, 22 and 29, 2002. During the first conversation, Mr. Amdor generally described Aquila's proposed tariff and sent an electronic copy to the Staff for review. The electronic copy had not yet been inserted into tariff page format, so no titles or pages were show.

3. Thereafter, on July 22, 2002, Mr. Amdor and said Staff members reviewed the document by paragraph and discussed it in detail again on July 29, 2002. The July 29, 2002 version of the tariff was in final form, and showed the title as "Aquila, Inc. d/b/a Aquila Networks-MPS and Aquila Networks-L&P." During that last call, Mr. Amdor inquired as to whether the Staff had any concerns about an effective date of September 1, 2002, since Aquila's existing experimental aggregation tariff expired on August 31, 2002. Mr. Amdor was told by the Staff that it would be better to request an effective date of October 1, 2002, because that date would provide for a 60 day review period and an opportunity for changes before the November 1, 2002, date required by the aggregation statute. Mr. Amdor also asked whether there was any concern about filing the aggregation changes at the same time that Aquila filed changes designed to address Williams Pipeline's change to daily balancing, a major tariff re-write. Both Mr. Wood and Mr. Imhoff said they would prefer to handle all of the changes in one filing.

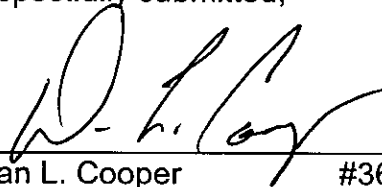
4. As stated previously, the involved tariff sheets were received by the Commission for filing on July 31, 2002, at 9:30 a.m. Thereafter, at approximately 4:00 p.m. on July 31, 2002, Mr. Amdor received a phone call from Mr. Imhoff and a Records Center member, at which time Mr. Amdor was advised, for the first time, that the Staff

wanted separate tariff sheets to be filed for MPS and L&P.<sup>1</sup> Said separate tariffs were completed and a new cover letter to be used in substituting/correcting the previously filed tariff sheets was faxed to the Staff for review on July 31, 2002. Attached hereto as Appendix 3 is a copy of said new cover letter.

5. Thereafter, on August 1, 2002, Mr. Amdor received a phone call from Mr. Imhoff at which time Mr. Imhoff indicated that the tariff changes should be refiled and not sent as a substitution/correction. A new cover letter and tariff sheets were then mailed to the Commission via FedEx for refiling as instructed and were received by the Commission on August 2, 2002, at 9:30 a.m. Attached hereto as Appendix 4 is a copy of said new cover letter.

**WHEREFORE**, Aquila respectfully requests that the Commission consider the foregoing explanation concerning the filing of the subject tariff sheets as having addressed its Order Directing Filing.

Respectfully submitted,



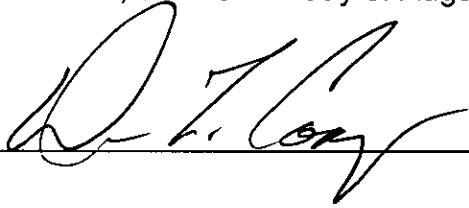
Dean L. Cooper #36592  
Brydon, Swearingen & England P.C.  
P.O. Box 456  
Jefferson City, MO 65102  
Telephone (573) 635-7166  
Facsimile (573) 635-0427  
E-Mail: dcooper@brydonlaw.com  
Attorneys for Aquila, Inc.

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<sup>1</sup> It is not clear at this time if and/or why the initial tariff sheets may have been "rejected" on July 31, 2002. Aquila has not received any formal rejection notice from the Commission. Additionally, Aquila is not aware of authority for the Commission to "reject" the filing of facially lawful tariff sheets.

**Certificate of Service**

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered, on this 12<sup>th</sup> day of August, 2002 to the parties of record.



---

A handwritten signature in black ink, appearing to read "D. T. Long", is written over a horizontal line. The signature is fluid and cursive, with the first name "D." and last name "Long" clearly distinguishable.



Aquila

1815 Capitol Avenue  
Omaha, NE 68102  
402-221-2091

July 30, 2002

Mr. Dale Hardy Roberts  
Secretary, Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102-0360

Dear Mr. Roberts:

Enclosed for filing are an original and three copies of Aquila Networks-MPS gas tariff sheets 17-32 and 32.1 – 32.24, and Aquila Networks-L&P gas tariff sheets 7.1-7.4.

These changes address the following issues:

1. The impending expiration of the Company's small volume aggregation program for the MPS system.
2. The recent statutory requirement for an aggregation program for schools.
3. The proposed September 1, 2002 adoption of daily scheduling and balancing by Williams Pipeline-Central. If the FERC approves these provisions, the Company will need tariff provisions to address possible penalties and charges that could be caused by end user imbalances.

If you have questions about this filing, please feel free to contact me at 402-221-2227.

Very truly yours,

  
Robert J. Amdor  
Regulatory Services

Enclosures

cc: Office of the Public Counsel (2)

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<input type="checkbox"/> FedEx 258Day Two hundred and fifty-eight business day	
<input type="checkbox"/> FedEx 259Day Two hundred and fifty-nine business day	
<input type="checkbox"/> FedEx 260Day Two hundred and sixty business day	
<input type="checkbox"/> FedEx 261Day Two hundred and sixty-one business day	
<input type="checkbox"/> FedEx 262Day Two hundred and sixty-two business day	
<input type="checkbox"/> FedEx 263Day Two hundred and sixty-three business day	



Aquila

1815 Capitol Avenue  
Omaha, NE 68102  
402-221-2091

July 31, 2002

Mr. Dale Hardy Roberts  
Secretary, Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102-0360

Dear Mr. Roberts:

Enclosed for filing are an original and three copies of Aquila Networks-MPS gas tariff sheets 17-32 and 32.1-32.24, and Aquila Networks-L&P gas tariff sheets 7.1-7.4 and 32.1-32.24. **This filing is made to correct and replace the tariff sheets filed on July 30.** The only change is to the sheet titles to reflect a separate filing for the MPS and L&P service areas.

If you have questions about this filing, please feel free to contact me at 402-221-2227.

Very truly yours,

Robert J. Amdor  
Regulatory Services

Enclosures

cc: Office of the Public Counsel (2)





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Dear Mr. Roberts:

Enclosed for filing are an original and three copies of Aquila Networks-MPS gas tariff sheets 17-32 and 32.1-32.24, and Aquila Networks-L&P gas tariff sheets 7.1-7.4 and 32.1-32.24.

These changes address the following issues:

1. The impending expiration of the Company's small volume aggregation program for the MPS system.
2. The recent statutory requirement for an aggregation program for schools.
3. The proposed September 1, 2002 adoption of daily scheduling and balancing by Williams Pipeline-Central. If the FERC approves these provisions, the Company will need tariff provisions to address possible penalties and charges that could be caused by end user imbalances.

If you have questions about this filing, please feel free to contact me at 402-221-2227.

Very truly yours,

Robert J. Amdor  
Regulatory Services

Enclosures

cc: Office of the Public Counsel (2)