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March 29, 2001

**UPS, Next Day Delivery**

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
Jefferson City, Missouri 65101

Re: Case No. E0-2001-472

Dear Mr. Roberts:

Enclosed please find for filing the original and eight (8) copies of the Response by IBEW Local 53 to UtiliCorp's Opposition to Intervene in the above-captioned matter. Thank you for your attention to this matter.

Sincerely,

Charles R. Schwartz

CRS:sab  
Enclosure

cc: L. Querry, IBEW Local 53

**FILED<sup>3</sup>**

**MAR 30 2001**

Missouri Public  
Service Commission

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

**FILED<sup>3</sup>**  
**MAR 30 2001**

In the Matter of an Investigation )  
respecting the sale of UtiliCorp United Inc.'s )  
Utility Network Construction, Operation )  
and Maintenance Organization. )

Missouri Public  
Service Commission

Case No. EO-2001-472

**RESPONSE BY IBEW LOCAL 53 TO  
UTILICORP'S OPPOSITION TO INTERVENE**

COMES NOW Local No. 53 of the International Brotherhood of Electrical Workers, AFL-CIO, (hereinafter "IBEW Local 53" or "the Union"), by and through counsel, and hereby responds to the "Suggestions of UtiliCorp United Inc. In Opposition to Conditional Application to Intervene of AG Processing Inc."

1. UtiliCorp claims that IBEW Local 53, which represents the employees of contractors providing services to UtiliCorp, is no different from that of the general public. Other than making this claim, UtiliCorp fails to elaborate upon its non-sequitur. It is obvious from the very nature of the relationship alleged that the interests represented by the Union are quite different from those of the general public that UtiliCorp serves.

2. UtiliCorp also claims that IBEW Local 53 does not explain how its interests will be affected by the sale. This claim, however, presupposes that the Union has knowledge of the particulars of UtiliCorp's proposed sale. Neither the Union, nor any one other than UtiliCorp itself, have such knowledge. Bringing such information to light is the very purpose of this proceeding.

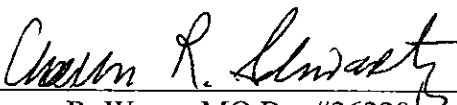
3. Finally, UtiliCorp claims that the Commission has no special expertise in resolving "labor disputes." The Union is not asking the Commission to resolve any "labor disputes." Indeed, at this point, the Union does not know whether it has any dispute at all with respect to the proposed sale. The Union has merely asserted that, given the unique interest of the employees it represents, and the possible effect of any orders that may be entered by the Commission, the Union should be granted leave to voice represent those interests through intervention.

WHEREFORE, IBEW Local 53 renews its request to be granted leave to intervene in these proceedings.

Dated this 29<sup>th</sup> day of March, 2001.

Respectfully submitted,

**BLAKE & UHLIG, P.A.**  
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\_\_\_\_\_  
James R. Waers, MO Bar #26220  
Charles R. Schwartz

**CERTIFICATE OF SERVICE**

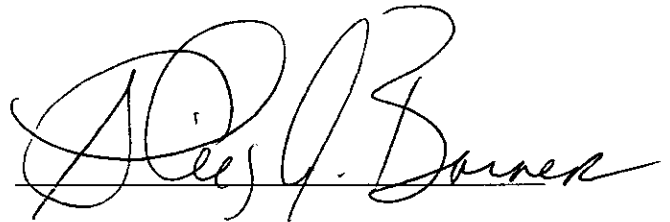
The undersigned hereby certifies that a copy of the foregoing **"Response by IBEW Local 53 to UtiliCorp's Opposition to Intervene"** was served upon all parties to this action, by causing the same to be deposited in the United States Mail, postage prepaid, this 29<sup>th</sup> day of March, 2001, addressed as follows:

David A. Meyer  
Eric William Anderson  
Associate General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, Missouri

Paul A Boudreau  
Brydon, Swearngen & England, P.C.  
312 Capital Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102

Stuart W. Conrad  
Finnegan, Conrad & Peterson, L.C.  
1209 Penntower Office Center  
3100 Broadway  
Kansas City, Missouri 64111

A handwritten signature in black ink, appearing to read "Paul A. Boudreau", written over a horizontal line.