

**FINNEGAN, CONRAD & PETERSON, L.C.**

ATTORNEYS AND COUNSELORS AT LAW

1209 PENNTOWER OFFICE CENTER  
3100 BROADWAY  
KANSAS CITY, MISSOURI 64111

(816) 753-1122  
TELECOPIER (816) 756-0373

JEREMIAH FINNEGAN, P.C.  
STUART W. CONRAD  
C. EDWARD PETERSON\*

\*ALSO ADMITTED IN  
KANSAS AND MASSACHUSETTS

November 16, 1999

FILED<sup>3</sup>

NOV 17 1999

FEDERAL EXPRESS

Mr. Dale H. Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
301 West High R530  
Jefferson City, Missouri 65102

Missouri Public  
Service Commission

Re: **Missouri-American Water Company**  
**Consolidated PSC Case Nos. WR-2000-281, SR-2000-282**

Dear Mr. Roberts:

Enclosed are the original and fourteen (14) conformed copies of the verified **APPLICATION TO INTERVENE OF AG PROCESSING INC, A COOPERATIVE, FRISKIES PETCARE, A DIVISION OF NESTLE USA, and WIRE ROPE CORPORATION OF AMERICA, INC.**, which please file in the above matter and call to the attention of the Commission.

An additional copy of the **INITIAL PAGE** of the material to be filed is enclosed, which kindly mark as received and return to me in the enclosed envelope as proof of filing.

Thank you for your attention to this important matter. If you have any questions, please call.

Sincerely yours,

FINNEGAN, CONRAD & PETERSON, L.C.

By: 

Stuart W. Conrad

SWC:s  
Enclosures  
cc: All Parties

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11/16/99 9:48am

FILED<sup>3</sup>

STATE OF MISSOURI  
MISSOURI PUBLIC SERVICE COMMISSION

NOV 17 1999

Missouri Public  
Service Commission

In the Matter of Missouri-American )  
Water Company's Tariff Sheets De- )  
signed to Implement General Rate )  
Increases for Water and Sewer Ser- )  
vice provided to Customers in the )  
Missouri Service Area of the Compa- )  
ny )

WR-2000-281  
SR-2000-282  
(Consolidated)

APPLICATION TO INTERVENE  
OF AG PROCESSING INC, A COOPERATIVE,  
FRISKIES PETCARE, A DIVISION OF NESTLE USA, and  
WIRE ROPE CORPORATION OF AMERICA, INC.

Come now AG PROCESSING INC, A COOPERATIVE ("AGP"),  
FRISKIES PETCARE, A DIVISION OF NESTLE USA ("Friskies") and WIRE  
ROPE CORPORATION OF AMERICA INC. ("Wire Rope") pursuant to 4  
C.S.R. 240-2.075 and apply to intervene herein and become parties  
hereto with respect to the above matter. In support thereof,  
AGP, Friskies and Wire Rope respectfully state:

1. AGP is an agricultural cooperative and is a large  
manufacturer and processor of soybean meal and soy-related food  
products and other grain products throughout the central and  
upper Midwest, including the State of Missouri. AGP is the  
largest cooperative soybean processing company in the world, the  
third-largest supplier of refined vegetable oil in the United  
States and the third-largest commercial feed manufacturer in  
North America.

2. AGP operates a major processing facility in St.  
Joseph, Missouri and is a major industrial water supply customer

of Missouri-American Water Company ("Missouri-American") in the St. Joseph district.

3. AGP's interests in proceedings affecting the rates, terms and conditions of water services from Missouri-American have been previously recognized by the Missouri Public Service Commission in permitting its intervention in prior rate design and water rate proceedings concerning Missouri-American. AGP has been an active participant in such cases.

4. Friskies is a corporation lawfully doing business in Missouri and is a manufacturer of several types and varieties of animal food products. Friskies operates a product manufacturing facility in St. Joseph, Missouri, and is a major industrial water customer of Missouri-American in the St. Joseph district.

5. Wire Rope is a corporation lawfully doing business in Missouri and is a manufacturer of numerous steel wire products, primarily steel cables of various grades and sizes. Wire Rope operates a major manufacturing facility in St. Joseph, Missouri and such facility is a major industrial water customer of Missouri-American in the St. Joseph district.

6. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

Stuart W. Conrad, Esq.  
FINNEGAN, CONRAD & PETERSON, L.C.  
1209 Penntower Office Center  
3100 Broadway  
Kansas City, Missouri 64111  
Voice: (816) 753-1122  
Fax: (816) 756-0373  
E-mail: [stucon@fcplaw.com](mailto:stucon@fcplaw.com)

to (for AGP):

Mr. Gary Chesnut  
Corporate Purchasing Manager  
Ag Processing Inc.  
12700 West Dodge Rd.  
Omaha, NE 68154

to (for Friskies):

Mr. Tim Selgelid  
Ms. Maureen Cornelius  
Friskies Petcare  
2017 Lower Lake Road  
P.O. Box 4099  
St. Joseph, MO 64504-9544

and to (for Wire Rope):

Mr. John Barclay, Chief Executive  
Mr. Jim Weidmaier, Project Manager  
Wire Rope Corporation of America, Inc.  
609 North 2nd Street  
St. Joseph, MO 64501

7. On or about October 15, 1999, Missouri-American filed proposed tariffs reflecting an annual aggregate increase of roughly \$16.4 million or 54 percent. The increase that is proposed to be recovered from industrial customers the size of AGP, Friskies and Wire Rope is, however, roughly 67%. The increase is proposed to be recovered from Missouri-American's retail customers through its service areas in Missouri, including its St. Joseph service area. Initial investigation and review of these proposed tariffs indicates that they have not been shown to be just and reasonable and may be unjust, unreasonable and unduly discriminatory as proposed by Missouri-American.

8. On or about November 28, 1999, the Missouri Public Service Commission issued a Report and Order suspending the proposed rates and tariffs and directing that an investigation of

such proposals be held. The above case number has been assigned to these proceedings. This Application is timely pursuant to such Report and Order.

9. AGP, Friskies and Wire Rope are vitally interested in issues that are or may be raised by or developed as a result of the investigation of Missouri-American's filing for an increase in its rates and revenues, including, without limitation, (1) the revenues which will or may be realized under such rates and the increase over revenues resulting from former rates in effect before the current filing, (2) the prudence of the selection by Missouri-American of the option to construct a completely new water production facility for the St. Joseph district; (3) the prudence of Missouri-American's expenditures in connection with the construction of the proposed new water plant, (4) expenses and revenues to be charged to the appropriate test period, and (5) the design and structure of rates to raise the necessary revenues to meet Missouri-American's proper cost of service.

10. As customers served by Missouri-American, AGP, Friskies and Wire Rope will be bound or adversely affected by any Commission order in this proceeding. Because of the structure of the rate schedules under which Missouri-American sells water and water supply services to AGP, Friskies and Wire Rope, and because of AGP's, Friskies' and Wire Rope's size and consistency of water usage for production purposes, AGP, Friskies and Wire Rope are in the special position of representing their own and possibly other

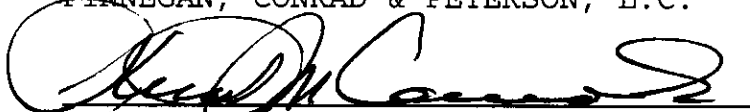
interests which will not and cannot be represented adequately by any other party and which interests are direct, immediate and different from those of the general public. Therefore, it will aid the Commission and protect the public interest that AGP, Friskies and Wire Rope be permitted to intervene in this proceeding to protect interests which no other parties are in a position properly to protect and adequately represent herein.

11. For purposes of 4 C.S.R. 240-2.075(2), AGP, Friskies and Wire Rope state that they oppose the discriminatory pricing of public utility services, including those provided by Missouri-American and therefore oppose the relief sought by Missouri-American in this proceeding.

WHEREFORE, AGP, Friskies and Wire Rope pray: (a) that they each be permitted to intervene herein and be made parties hereto with all rights to have notice of and participate in all proceedings and hearings to present evidence, to cross-examine witnesses, file briefs and participate in argument if any be held; and (b) for all other needful and proper relief.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



Stuart W. Conrad Mo. Bar #23966  
3100 Broadway, Suite 1209  
Kansas City, Missouri 64111  
(816) 753-1122  
Facsimile (816) 756-0373  
Internet: stucon@fcplaw.com

ATTORNEYS FOR AG PROCESSING INC.,  
FRISKIES PETCARE, A DIVISION OF

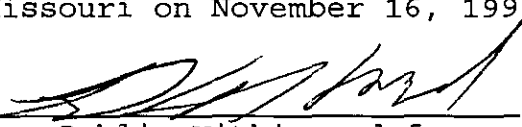
NESTLE USA and WIRE ROPE CORPORA-  
TION OF AMERICA, INC.

ACKNOWLEDGEMENT

STATE OF MISSOURI     )  
                              )  
COUNTY OF JACKSON    )     ss.

Comes now Stuart W. Conrad and having been first duly sworn, states that he is an attorney for the within applicants for intervention and has been duly authorized to file this application on their behalf; that he has read and is familiar with the contents thereof and that the statements therein made are true and correct to the best of his knowledge and belief.

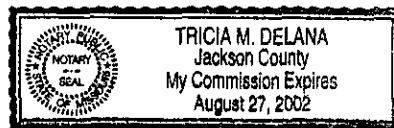
IN WITNESS WHEREOF, I have hereunto set my hand and my official seal at in Kansas City, Missouri on November 16, 1999.

  
\_\_\_\_\_  
Notary Public Within and for  
said County and State

(SEAL)

My Commission Expires:

AUGUST 27, 2002



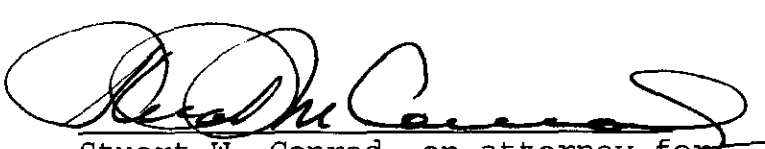
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Application to Intervene by U.S. mail, postage prepaid addressed to the following persons:

Office of the Public Counsel  
P. O. Box 7800  
Jefferson City, MO 65102

Mr. William R. England  
Brydon, Swearngen & England,  
P.C.  
312 East Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102-0456

Dated: November 16, 1999

  
\_\_\_\_\_  
Stuart W. Conrad, an attorney for  
within applicants