



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

JEREMIAH W. (JAY) NIXON
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

April 1, 2005

FILED²

APR 01 2005

Public Service Commission
Governor State Office Bldg.
Jefferson City, MO 65102

Missouri Public
Service Commission


RE: In the Matter of Aquila, Inc. for Approval of its Experimental Regulatory
Plan, Case No. EO-2005-0293

Dear Sir/Madam:

Enclosed for filing please find an original and 9 copies of Missouri Department of Natural Resources' Application to Intervene Filed Out of Time in the above-styled matter. Please stamp "filed" on the extra copy for my files. Thank you.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General


SHELLEY A. WOODS
Assistant Attorney General

SAW:pah
Enclosure
c: Counsel of Record

FILED²

APR 01 2005

Missouri Public
Service Commission

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

In the Matter of the Application of Aquila, Inc., for)
Approval of its Experimental Regulatory Plan and)
for a Certificate of Convenience and Necessity)
Authorizing it to Participate in the Construction,)
Ownership, Operation, Maintenance, Removal,)
Replacement, Control and Management of a Steam)
Electric Generating Station in Platte County, Missouri,)
or alternatively, for an Order Specifically Confirming)
that Aquila, Inc. Has the Requisite Authority under)
the Existing Certificate(s))

Case No. EO-2005-0293

MISSOURI DEPARTMENT OF
NATURAL RESOURCES'
APPLICATION TO INTERVENE

The Missouri Department of Natural Resources (MDNR), pursuant to 4 CSR 240-2.075, respectfully requests that the Commission grant its application to intervene in the above-styled matter. This application is made for the following reasons:

1. On March 2, 2005, Aquila, Inc., applied for a certificate of convenience and necessity to participate in a steam electric generation station (Iatan Unit 2), and to get Commission approval of an experimental regulatory plan to fund that participation.
2. On March 8, 2005, the Commission issued an Order establishing April 1, 2005, as the date by which all applications to intervene in the above-styled case were to be filed.
3. MDNR, and specifically its Energy Center, is a state agency vested with the

powers and duties set forth in Section 640.150, RSMo.

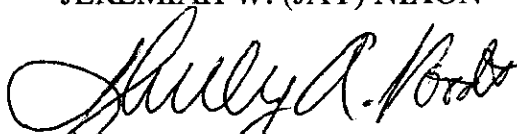
4. MDNR has an interest different than that of the general public, and its intervention will serve a public interest in that the Energy Center will be looking at the proposed filing from a formal policy and planning perspective as well as looking at the potential impacts on environmental quality. In particular, the Energy Center will look at the proposed filing to assess the commitment by the Company to provide low or no cost weatherization to low income families and energy efficiency program. The Energy Center's review also will be in relation to the mandate set forth in Section 640.150, RSMo. The mandate set forth in the statute includes planning for energy resource development; analyzing energy management issues; consulting and cooperating with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; assessing the potential impacts on environmental quality; and analyzing the potential for increased use of energy alternatives and making recommendations for the expanded use of such alternate energy sources and technologies.

5. The Energy Center takes no position on the filing as filed, but would welcome the opportunity to work with the Company, Staff and the Office of Public Counsel to explore developing a program that has meaningful benefits to consumers and the environment.

WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON



SHELLEY A. WOODS

Assistant Attorney General

MBE #33525

P. O. Box 899

Jefferson City, MO 65102

Telephone (573) 751-8795

TELEFAX No. (573) 751-8464

shelley.woods@ago.mo.gov

Attorneys for Missouri Department of Natural
Resources


CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, by United States mail, this 1st day of April, 2005, to:

John Coffman
Office of Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102

James Swearengen
Brydon, Swearengen & England, P.C.
312 E. Capitol Ave.
P.O. Box 456
Jefferson City, Missouri 65102-0456

Dana Joyce
General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102


Assistant Attorney General