

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

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) **Case No. EO-2005-0293**
Electric Generating Station in Platte County, Missouri,)
or Alternatively for an Order Specifically Confirming)
That Aquila, Inc., Has the Requisite Authority under)
Its Existing Certificate(s))

ORDER GRANTING INTERVENTIONS

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 its participation in that plant. Within that application, Aquila asked that the Commission give public notice of the application, and to set an intervention deadline of April 1, 2005. The Commission set an April 1 deadline for intervention requests.

On April 1, The Empire District Electric Company asked to intervene. According to Empire's application, Empire is a co-owner of Iatan Unit 1, and a potential co-owner in the proposed Iatan Unit 2. Because of that ownership interest, Empire has interests that no other party can adequately represent. Furthermore, those interests are different from those of the general public.

Also on April 1, Union Electric Company d/b/a AmerenUE asked to intervene. AmerenUE states that its interest in rate base treatment of capital investments, integrated resource planning, and rate regulation, as well as its interconnection to Aquila's transmission system, is an interest different from that of the general public.

Finally, also on April 1, the Missouri Department of Natural Resources asked to intervene. DNR states that its interest in looking at Aquila's application from a policy perspective, and its interest in assessing Aquila's commitment to low or no-cost weatherization to low-income families, is an interest different from that of the general public.

Under 4 CSR 240-2.080(15), interested parties had ten days from the filing date to object. No parties objected.

The Commission has reviewed the applications to intervene, and finds that they substantially comply with Commission rules regarding intervention. The Commission further finds that Empire, AmerenUE, and DNR have interests in this matter different from those of the general public, and that granting the interventions would serve the public interest. The Commission concludes that it should grant the requests.

IT IS THEREFORE ORDERED:

1. That the Application to Intervene of The Empire District Electric Company is granted.
2. That Union Electric Company d/b/a AmerenUE's Application to Intervene is granted.
3. That the Missouri Department of Natural Resources' Application to Intervene is granted.

4. That this order shall become effective on April 13, 2005.

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Ronald D. Pridgin, Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 13th day of April, 2005.