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

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In the Matter of the Tariff Filing of Aquila, Inc., to Implement a General Rate Increase for Retail Electric Service Provided to Customers in its MPS and L&P Missouri Service Areas.

ER-2005-0436

## **CALPINE CENTRAL, L.P.'S APPLICATION TO INTERVENE**

COMES NOW CALPINE CENTRAL, L.P. ("Calpine") and respectfully submits its Application to Intervene in this proceeding pursuant to 4 CSR 240-2.075. In support of its Application, Calpine states as follows:

1. On May 24, 2005, Aquila, Inc. ("Aquila") filed proposed tariffs with the Commission intending to increase its rates for electric service in its Missouri service are by approximately \$80 million. The reasons alleged for the filing include increased costs of operations and a claimed insufficient return on investment as well as claimed increased natural gas costs affecting the cost of operation.

2. Calpine, through its affiliates, is an independent power producer and owns and operates the Aries Power Plant in Pleasant Hill, Missouri. The majority of the Aries Power Plant's output was until recently sold to Aquila.

3. Calpine desires to participate in this proceeding to ensure that the Commission will have available as many relevant facts as possible while addressing and determining the issues presented. Calpine's interests cannot be represented adequately by any other party. Calpine is currently unsure of the position it will take concerning the proposed tariffs.

4. Granting Calpine's Application to Intervene will also be in the public interest because Calpine will bring to this proceeding its expertise in the energy market in general as well as its experience as a wholesale electric power provider. Calpine's business interests and rights may be adversely affected by the decisions reached in this case.

5. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

Paul S. DeFord Lathrop & Gage L.C. 2345 Grand Boulevard, Suite 2800 Kansas City, MO 64108 Voice: 816-292-2000 Fax: 816-292-2001 pdeford@lathropgage.com

WHEREFORE, Calpine respectfully requests that the Commission grant this Application to Intervene, together with any further and/or additional relief the Commission deems just and proper.

Respectfully submitted,

LATHROP & GAGE, L.C.

Dated: June 14, 2005

/s/ Paul S. DeFord

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Attorneys for Calpine Central, L.P.

## **VERIFICATION**

I, Paul S. DeFord, an attorney for Calpine Central, L.P., hereby verify and affirm that I have read the foregoing Application to Intervene of Calpine Central, L.P. and that the statements contained therein are true and correct to the best of my information and belief.

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Subscribed and sworn to before me this  $l \underline{\prime} \underline{\prime}^{\prime}$  day of June, 2005.

Notary Public

My Commission Expires:

1-6-02

LISA A. LOREE Notary Public - Notary Seal STATE OF MISSOURI Jackson County My Commission Expires: Jan. 6, 2008

## **CERTIFICATE OF SERVICE**

I hereby certify that a correct copy of the foregoing was sent via U.S. Mail or electronic transmittal on this 14th day of June, 2005, to:

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/s/ Paul S. DeFord An Attorney for Calpine Central, L.P.