

LAW FIRM

BLACKWELL SANDERS PEPER MARTIN
LLP

2300 MAIN STREET SUITE 1000 KANSAS CITY, MO 64108
P.O. BOX 419777 KANSAS CITY, MO 64141-6777
TEL: (816) 983-8000 FAX: (816) 983-8080
WEBSITE: www.blackwellsanders.com

KARL ZOBRIST
DIRECT: (816) 983-8000

DIRECT FAX: (816) 983-8080
E-MAIL: kzobrist@blackwellsanders.com

July 9, 2003

FILED⁴

JUL 10 2003

**Missouri Public
Service Commission**

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison, Suite 100
P.O. Box 360
Jefferson City, Missouri 65101

Re: Application of Aquila, Inc. to Join the Midwest Independent Transmission
Operator, Inc.
Case No. EO-2003-0566

Dear Mr. Roberts:

On behalf of the Midwest Independent Transmission System Operator, Inc., I enclose an original and eight copies of:

- **Application of Midwest Independent Transmission System Operator, Inc. to Intervene**

Please file this with the Commission in the above matter. I would appreciate it if you would see that the copies are distributed to the appropriate Commission personnel. Service copies have been mailed to all parties of record this date.

I have also enclosed an extra copy of the document, which I request that you stamp "Filed" and return to me in the enclosed self-addressed stamped envelope.

Thank you for your attention to this matter.

Very truly yours,



Karl Zobrist

KZ/vls
Enclosures

cc: All Parties of Record

KC-1102452-1

KANSAS CITY, MISSOURI • ST. LOUIS, MISSOURI • OVERLAND PARK, KANSAS • OMAHA, NEBRASKA
SPRINGFIELD, MISSOURI • EDWARDSVILLE, ILLINOIS • WASHINGTON, D.C. • LONDON, UNITED KINGDOM
AFFILIATES: LEEDS • MANCHESTER • MEXICO CITY • MONTREAL • TORONTO • VANCOUVER

FILED⁴

JUL 10 2003

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

**Missouri Public
Service Commission**

In the matter of: Aquila, Inc., d/b/a Aquila)
Networks-MPS and Aquila Networks-L&P's) Case No. EO-2003-0566
Application to join the Midwest Independent)
Transmission System Operator, Inc.)

**APPLICATION OF MIDWEST INDEPENDENT
TRANSMISSION SYSTEM OPERATOR, INC. TO INTERVENE**

The Midwest Independent Transmission System Operator, Inc. ("Midwest ISO"), by and through its counsel and pursuant to 4 CSR 240-2.075, applies to intervene in the above-entitled matter. In support of its Application, the Midwest ISO states:

1. The Midwest ISO is a not-for-profit corporation organized and existing under the laws of Delaware, with its principal office at 701 City Center Drive, Carmel, Indiana 46032.
2. The Midwest ISO is a regional transmission organization (RTO) that monitors and controls the bulk electric system for its transmission owner members and system users, and provides all customers with open access transmission service. The Federal Energy Regulatory Commission approved the Midwest ISO as the nation's first RTO on December 20, 2001. On February 1, 2002, the Midwest ISO began providing regional transmission service for the movement of bulk power over the facilities in the Midwest ISO footprint.
3. Communications in this matter should be addressed to:

Karl Zobrist
Teresa Brown
Blackwell Sanders Peper Martin, LLP
2300 Main Street, Suite 1000
Kansas City, Missouri 64108
(816) 983-8000
kzobrist@blackwellsanders.com
tbrown@blackwellsanders.com

Stephen G. Kozey
Vice President and General Counsel
Lori Spence
Associate General Counsel
Midwest Independent Transmission System Operator, Inc.
701 City Center Drive
Carmel, Indiana 46032
(317) 249-5442
lspence@midwestiso.org

4. On June 20, 2003, Aquila, Inc. ("Aquila") filed an application with the Missouri Public Service Commission for approval to transfer operational control over certain designated transmission facilities to the Midwest ISO pursuant to Section 393.190.1, Mo. Rev. Stat. (2000).

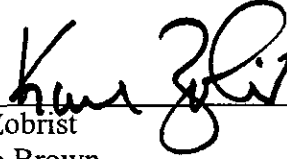
5. The Midwest ISO requests leave to intervene in the above-entitled matter.

6. The Midwest ISO supports the application of Aquila which is a transmission owner member of Midwest ISO. Aquila does not currently take full network service from Midwest ISO as it is not yet directly connected to the Midwest ISO system. Because Midwest ISO will exercise functional operational control over certain transmission assets of Aquila if the application is granted, its interest in this proceeding is different from that of the general public and cannot be adequately represented by any other party.

7. Midwest ISO's participation in this matter will not delay or hinder these proceedings.

WHEREFORE, Midwest ISO respectfully requests permission to intervene in support of the above-entitled matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Karl Zobrist', written over a horizontal line.

Karl Zobrist

MO #28325

Teresa Brown

MO #49424

Blackwell Sanders Peper Martin LLP

2300 Main Street, Suite 1100

Kansas City, Missouri 64108

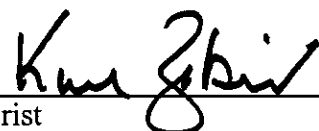
(816) 983-8000

(816) 983-8080 (FAX)

VERIFICATION

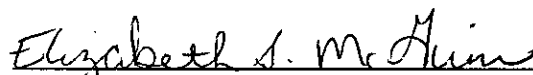
STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

Karl Zobrist, of lawful age, being first duly sworn on oath, states that he is an attorney for the Midwest Independent Transmission System Operator, Inc.; that he has read the above and foregoing Application, and knows the contents thereof; and that the statements contained therein are true and correct.



Karl Zobrist

Subscribed and sworn to before me this 9th day of July, 2003.



Notary Public

My Commission Expires:

ELIZABETH S. MCGUIRE
Notary Public - Notary Seal
STATE OF MISSOURI
Bates County
My Commission Expires: Jan. 28, 2006

CERTIFICATE OF SERVICE

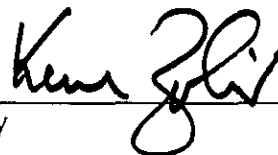
I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid,
this 9th day of July, 2003 to:

Dana K. Joyce
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, Missouri 65102

John B. Coffman
P.O. Box 7800
200 Madison Street, Suite 640
Jefferson City, Missouri 65102

Dean Cooper
Brydon Swearingen & England, P.C.
312 E. Capitol Ave.
P.O. Box 456
Jefferson City, Missouri 65101

Attorneys for Aquila, Inc.



Attorney