

NEWMAN, COMLEY & RUTH

PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
MONROE BLUFF EXECUTIVE CENTER
601 MONROE STREET, SUITE 301
P.O. BOX 537
JEFFERSON CITY, MISSOURI 65102-0537
www.ncrpc.com

TELEPHONE: (573) 634-2266
FACSIMILE: (573) 636-3306

ROBERT K. ANGSTEAD
MARK W. COMLEY
CATHLEEN A. MARTIN
STEPHEN G. NEWMAN
JOHN A. RUTH

July 29, 2003

FILED²

JUL 29 2003

Missouri Public
Service Commission

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

Re: Case No. ER-2004-0034

Dear Judge Roberts:

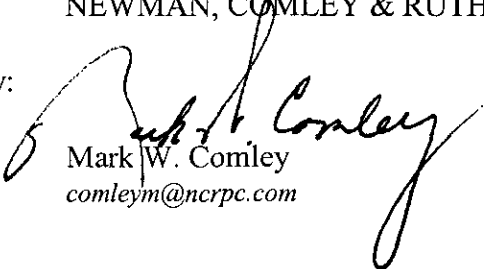
Enclosed for filing in the above referenced matter, please find the original and five copies of an Application to Intervene.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley
comleym@ncrpc.com

MWC:ab
Enclosure

cc: Office of Public Counsel
General Counsel's Office
William D. Geary
James C. Swearengen
Stuart W. Conrad

FILED²

JUL 29 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)
L&P and Aquila Networks MPS Application to)
Implement a General Rate Increase in Electricity.) Case No. ER-2004-0034

APPLICATION TO INTERVENE

COMES NOW the City of Kansas City, Missouri (hereinafter sometimes Kansas City), pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its Application to Intervene respectfully states:

1. The City of Kansas City, Missouri, is a municipality of the State of Missouri.
2. Correspondence, communications, orders and the decision in this matter should be

addressed to:

William D. Geary
Assistant City Attorney
2700 City Hall
414 E. 12th St.
Kansas City, MO 64106
Telephone No.: 816/513-3118
Fax No.: 816/513-3133

Mark W. Comley
NEWMAN, COMLEY & RUTH P.C.
P.O. Box 537
Jefferson City, MO 65102-0537
Telephone No.: 573/634-2266
Fax No.: 573/636-3306

3. This case arose when Aquila, Inc. d/b/a Aquila Networks MPS and Aquila Networks L&P (collectively "Aquila") filed an application for a general rate case in electricity. On July 22, 2003, the Commission issued an order and notice directing that interested parties wishing to intervene must do so on or before August 19, 2003. This application is therefore timely.

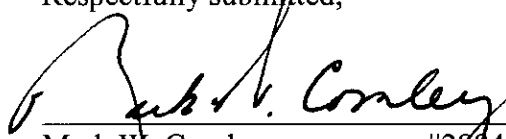
4. Kansas City is itself a large consumer of energy supplied by Aquila. Kansas City is interested in the impact of any decisions in this proceeding on behalf of itself and its residents and businesses. It desires to participate fully in this proceeding including hearing and the briefing of the issues.

5. At this time, Kansas City is uncertain of the position it will take in this matter.

6. Granting the proposed intervention would serve the public interest.

WHEREFORE, for the foregoing reasons, the City of Kansas City, Missouri, respectfully requests that the Commission grant its Application to Intervene in this matter, and thereby entitle the City to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,



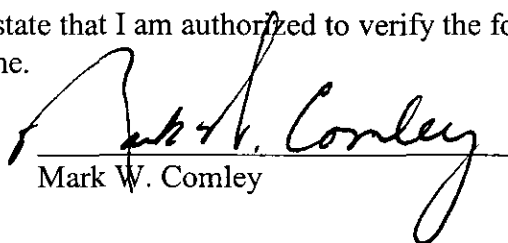
Mark W. Comley #28847
NEWMAN, COMLEY & RUTH P.C.
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, MO 65102-0537
(573) 634-2266
(573) 636-3306 (FAX)

Attorneys for City of Kansas City, Missouri

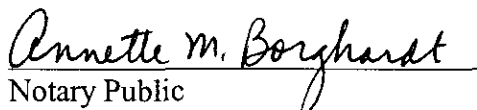
ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

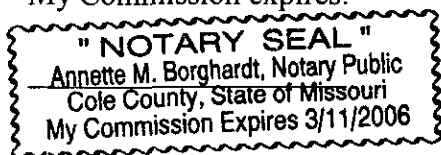
I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for The City of Kansas City, Missouri which seeks intervention in the above captioned proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.


Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 29th day of July, 2003.


Notary Public

My Commission expires:



Certificate of Service

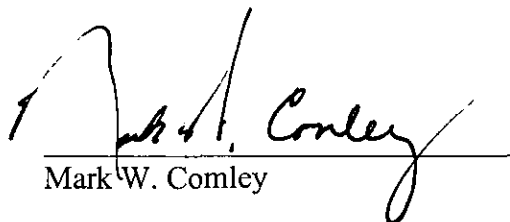
I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, on this 29th day of July, 2003, to:

James C. Swearingen
Brydon, Swearingen & England
P.O. Box 456
Jefferson City, MO 65102

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

General Counsel's Office
Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Stuart W. Conrad
Finnegan, Conrad & Peterson L.C.
3100 Broadway, Suite 1209
Kansas City, MO 64111


Mark W. Comley