

# 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

February 13, 2004

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

FILED

FEB 13 2004

Missouri Public  
Service Commission

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 the City of Kansas City's Statement of Position on the Issues.

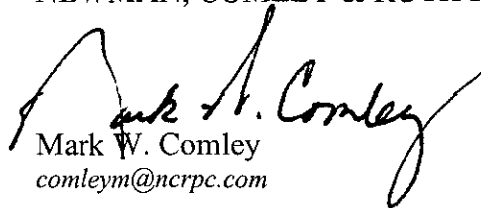
Would you please bring this filing to the attention of the appropriate Commission personnel.

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  
Shelley A. Woods

FILED

FEB 13 2004

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

**CITY OF KANSAS CITY'S  
STATEMENT OF POSITION ON THE ISSUES**

Comes now the City of Kansas City, Missouri (Kansas City) by and through its attorneys and submits this statement of position on the issues:

**Issue:**

**Should an amount for low income customer weatherization and assistance programs be included in the cost of service? If so, what amount should be included?**

**Position:**

Kansas City proposes that Aquila implement an energy conservation program – a weatherization program -- to benefit its residential electric customers that is similar in design to the program now in place and approved by the Commission for Southern Union Company, d/b/a Missouri Gas Energy (MGE). The program serving MGE customers has proven itself successful and can easily be duplicated for Aquila. The City is the designated subgrantee in Aquila's service area for weatherization grants distributed through the Missouri Department of Natural Resources and is equipped to partner with Aquila for administration of the program.

Kansas City has no position at this time on an amount which should be allocated for the program.

Kansas City takes no position on any of the other issues on the Proposed List of Issues.

Respectfully submitted,



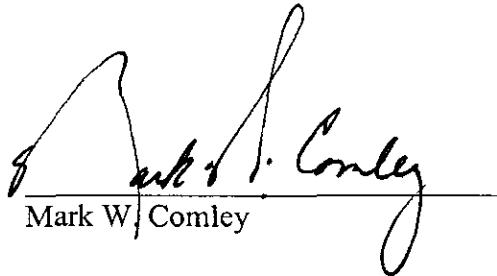
Mark W. Comley #28847  
NEWMAN, COMLEY & RUTH P.C.  
601 Monroe, Suite 301  
P.O. Box 537  
Jefferson City, MO 65102-0537  
(573) 634-2266  
(573) 636-3306 (FAX)

Attorneys for Intervener, City of Kansas  
City, Missouri

**Certificate of Service**

I hereby certify that a true and correct copy of the above and foregoing document was sent via electronic mail on this 13<sup>th</sup> day of February, 2004, to General Counsel's Office at [gencounsel@psc.state.mo.us](mailto:gencounsel@psc.state.mo.us); Office of Public Counsel at [opcservice@ded.state.mo.us](mailto:opcservice@ded.state.mo.us); James C. Swearngen at [lrackers@brydonlaw.com](mailto:lrackers@brydonlaw.com); and Stuart Conrad at [stucon@fcplaw.com](mailto:stucon@fcplaw.com). A true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, on this 13<sup>th</sup> day of February, 2004, to:

Shelley A. Woods  
Mo. Attorney General's Office  
P.O. Box 899  
Jefferson City, MO 65102



Mark W. Comley