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February 13, 2004

Public Service Commission
Governor Hotel
Jefferson City, MO 65102


RE: Aquila Networks Electric Rate Case, Case No. ER-2004-0034

Dear Sir/Madam:

Enclosed for filing please find an original and 9 copies each of Missouri Department of Natural Resources' Statement of Position and Motion to File Out of Time in the above-styled matter. Please stamp "filed" on the extra copies for my files. Thank you.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General


SHELLEY A. WOODS
Assistant Attorney General

SAW:pah
Enclosure
c: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

FEB 13 2004

Missouri Public
Service Commission

In the Matter of Aquila, Inc., d/b/a Aquila Networks – L&P and Aquila Networks – MPS, to implement a General Rate Increase in Electricity.)	Case No. ER-2004-0034
)	
)	
)	
In the Matter of the Request of Aquila, Inc. d/b/a Aquila Networks – L&P, to Implement a General Rate Increase in Steam Rates.)	Case No. HR-2004-0024
)	

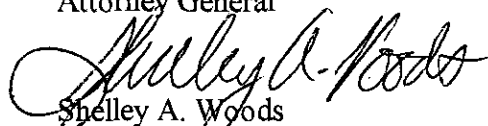
MISSOURI DEPARTMENT OF NATURAL RESOURCES' MOTION TO FILE OUT OF TIME

Missouri Department of Natural Resources respectfully requests that the Commission grant this Motion to file out of time. The department's Statement of Position on the Issues was filed on February 13, 2004, but not until after 3:00 pm.

Furthermore, none of the parties will be prejudiced by this delay.

WHEREFORE, Missouri Department of Natural Resources respectfully requests that this Commission grant this Motion to File out of Time.

Respectfully submitted,
JEREMIAH W. (JAY) NIXON

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this ~~20th~~ day of August 2003:

13th February 2004

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