

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

|  |   |                       |
|--|---|-----------------------|
| In the Matter of the Future Supply, Delivery | ) |                       |
| and Pricing of the Electric Service Provided | ) | Case No. EO-2004-0577 |
| by Kansas City Power & Light Company         | ) |                       |

**APPLICATION TO INTERVENE**

**COMES NOW** Aquila, Inc. d/b/a Aquila Networks, Aquila Networks - MPS and Aquila Networks - L&P (“Aquila”), pursuant to Missouri Public Service Commission (“Commission”) Rule 4 CSR 240-2.075, and states as follows as its Application to Intervene:

1. Aquila is a Delaware corporation with its principal office and place of business at 20 West 9<sup>th</sup> Street, Kansas City, MO 64138. Aquila is authorized to conduct business in Missouri through its Aquila Networks-MPS and Aquila Networks-L&P operating divisions and, as such, is engaged in providing electrical, natural gas and heating company utility service in Missouri in those areas certificated to it by the Commission. A certified copy of Aquila’s Amended Certificate of Authority to do business in this state as a foreign corporation was filed with the Commission in Case No. EU-2002-1053 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). Likewise, copies of the registrations of fictitious name of Aquila Networks-MPS and Aquila Networks-L&P were filed in Case No. EU-2002-1053 and a copy of the registration of the fictitious name of Aquila Networks was filed in Case No. ER-2004-0072, and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G).

2. Aquila is an “electrical corporation,” a “gas corporation,” a “heating company” and a “public utility” as those terms are defined in Section 386.020 RSMo 2000. Consequently,

it is subject to the jurisdiction and supervision of the Commission as provided by law.

3. Aquila has pending or final judgments or decisions against it from state or federal regulatory agencies or courts which involve customer service occurring within the three (3) years immediately proceeding the filing of this application. Aquila has no overdue Commission annual reports or assessment fees.

4. Pleadings, notices, orders and other correspondence and communications concerning this application should be addressed to the undersigned counsel and:

Mr. Dennis Williams, Manager  
Missouri Electric Regulatory Affairs  
Aquila, Inc.  
10700 E. 350 Hwy.  
P.O. Box 11739  
Kansas City, MO 63138  
Telephone: (816) 737-7857  
Facsimile: (816) 737-7705  
E-mail: [denny.williams@aquila.com](mailto:denny.williams@aquila.com)

5. On May 6, 2004, Kansas City Power & Light Company ("KCPL") filed a request that the Commission open an investigation to discuss "constructive regulatory responses to emerging issues that will affect the supply, delivery and pricing of the electric service provided by KCPL." The Commission issued an Order Directing Notice and Setting Intervention Deadline on May 25, 2004, wherein the Commission ordered that any interested party wishing to intervene do so no later than June 1, 2004.

6. KCPL's application identifies several issues that are said to be "interrelated issues of importance to KCP&L and its stakeholders." These issues are as follows:

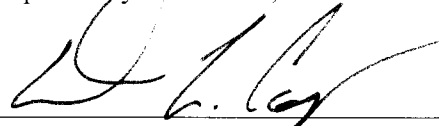
- Capacity options;
- Emissions concerns;

- Price stability; and,
- Demand-side management programs and evaluation of new technologies for energy and account management.

7. Aquila is currently a co-owner of the Iatan Unit No. 1 power plant with KCPL and The Empire District Electric Company and is therefore interested in both the capacity and emissions subjects identified by KCPL. Aquila is also indirectly interested in both the price stability and demand-side subjects. Aquila seeks to intervene in this matter for the purpose of addressing all four of the subject described by KCPL. Aquila is unsure what position it may take as to the issues that may be raised in this matter.

WHEREFORE, Aquila prays that the Commission issue its order granting it permission to intervene in the above-entitled matter.

Respectfully submitted,



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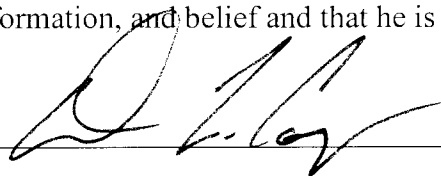
Dean L. Cooper MBE#36592  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 E. Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166  
(573) 635-3847 facsimile  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

ATTORNEYS FOR AQUILA, INC.

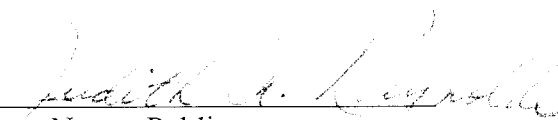
# VERIFICATION

State of Missouri       )  
                                  ) ss  
County of Cole       )

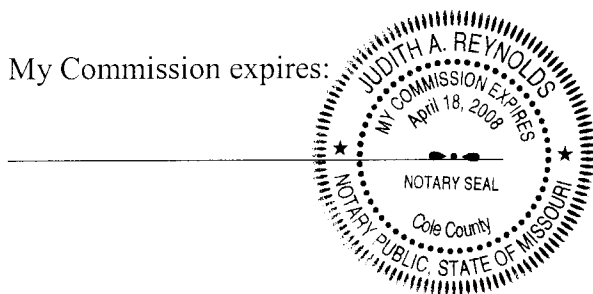
Dean L. Cooper being first duly sworn, deposes and states that the aforesaid application is true and correct to the best of his knowledge, information, and belief and that he is authorized to make this statement on behalf of Aquila, Inc.

  
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Subscribed and sworn to before me this 1<sup>st</sup> day of June, 2004.

  
\_\_\_\_\_  
Notary Public

My Commission expires:



## CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was, on this 1<sup>st</sup> day of June, 2004, sent via U.S. Mail, postage prepaid, or hand delivered, to the following:

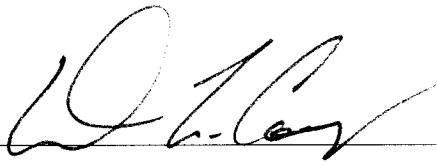
Office of the Public Counsel  
Governor State Office Building  
6<sup>th</sup> Floor  
Jefferson City, MO 65101

John Coffman  
Governor State Office Building  
8<sup>th</sup> Floor  
Jefferson City, MO 65101

Karl Zobrist  
Blackwell Sanders, et al.  
P.O. Box 419777  
Kansas City, MO 64141-6777

James M. Fischer  
Fischer & Dority, P.C.  
101 Madison Street, Suite 400  
Jefferson City, MO 65101

William G. Riggins  
Great Plains Energy  
1201 Walnut  
Kansas City, MO 64106



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