



Commissioners

STEVE GAW  
Chair

CONNIE MURRAY

ROBERT M. CLAYTON III

## Missouri Public Service Commission

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<http://www.psc.state.mo.us>

ROBERT J. QUINN, JR.  
Executive Director

WESS A. HENDERSON  
Director, Utility Operations

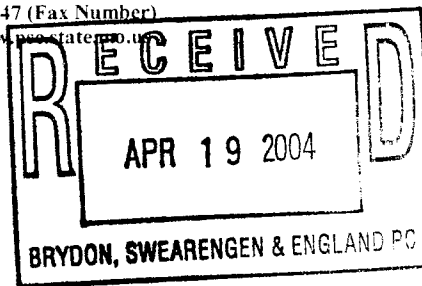
ROBERT SCHALLENBERG  
Director, Utility Services

DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE  
General Counsel

April 16, 2004

Brydon, Swearingen & England  
James C. Swearingen  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, MO 65102-0456



Re: AquilaTariff Submissions YE-2004-1257 and YH-2004-1260

Dear Mr. Swearingen:

The Commission is returning the enclosed documents for the following reason(s).

- All pleadings must make reference to the statutory provision or other authority under which relief is requested. (*Reference: 4 CSR 240-2.080 (3) – Pleadings, Filing and Service*)
- All pleadings, unless filed pro se, must be filed by an attorney licensed to practice law in the State of Missouri. (*Reference: 4 CSR 240-2.040 (5) – Practice Before the Commission (Supreme Court Rule 55.03)*)
- An attorney who is not licensed to practice in Missouri must retain local counsel and follow the provisions of 4 CSR 240-2.040 – Practice Before the Commission.
- All attorney signatures must be followed by the attorney's Missouri Bar number or similar designation from another state. (*Reference: 4 CSR 240-2.080 – Practice Before the Commission (Supreme Court Rule 55.03)*)
- All applications for Certificates of Service Authority to provide Interexchange, Local Exchange or Basic Local Exchange service must contain a tariff bearing a 45-day effective date. (*Reference: 4 CSR 240-3.510*)
- An application of the type enclosed must include a Certificate of Good Standing and/or a registration of Fictitious Name from the Missouri Secretary of State's Office. (*Reference: 4 CSR 240-2.060 (1)(B) and (E) – Applications*)
- For an association, a list of its members must be included. (*Reference: 4 CSR 240-2.060 (1)(J) – Applications*)
- Territorial agreements must include an illustrative tariff as an exhibit. (*Reference: 4 CSR 240-3.130(B) – Electric*)

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- 30 days' notice to the commission is required as to every publication relating to telephone rates or service. (*Reference: 4 CSR 240-3.545*)
- Other: Per your discussion with Dale Roberts on April 15, 2004, our records indicate that the certificated d/b/a names for Aquila, Inc. are Networks – L&P and Aquila Networks - MPS. We were unable to locate evidence that the Commission recognized use of the d/b/a Aquila Networks. As discussed, please resubmit the tariffs under the certificated names.

Requested or corrected information should be returned to:

Missouri Public Service Commission  
Secretary of the Commission c/o Data Center  
P.O. Box 360  
Jefferson City, MO 65102-0360.

Upon the discovery of a cause for rejection, our work on your documents was discontinued so that we could return these documents without delay. The list of deficiencies herein does not foreclose the possibility of other deficiencies. It is the sole responsibility of the filing party to ensure that documents submitted to the Commission meet the filing requirements of 4 CSR 240-2 and 4 CSR 240-3. These rules are readily available at <http://www.psc.state.mo.us/rules.asp>.

It is important to note that the Data Center performs the same function as the Circuit Clerk's office of the court. The Data Center has the authority to determine if a pleading appears to have satisfied the filing requirements of the Commission. Data Center employees cannot advise an applicant on matters concerning the practice of law.

Please contact the Deputy Secretary of the Commission, Kim Happy, at 573-751-7496 if you have questions regarding your returned documents.

Sincerely,  


Dale Hardy Roberts, Chief Judge  
Secretary of the Commission

Enclosure(s)