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February 20, 2007

FILED³

FEB 20 2007

Public Service Commission
Governor Hotel
200 Madison Street
Jefferson City, MO 65102

Missouri Public
Service Commission

RE: *In the Matter of the Application Weber Gas Energy, LLC for a Certificate of Public Convenience and Necessity to Construct and Operate a Natural Gas Distribution System and Gas Utility; to Serve Persons of St. Louis County, Missouri and certain incorporated areas therein and Establishment of Utility Rates*
Case No. GA-2007-0271

Dear Sir/Madam:

Enclosed for filing please find an original and 9 copies of the *Missouri Department of Natural Resources' Application To Intervene* in the above-styled case. Please stamp "filed" on the extra copies for my files. Thank you.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General

MARY MOULTON BRYAN
Assistant Attorney General

MMB:ls
Enclosure

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

FEB 20 2007

In the Matter of the Application of)
Weber Gas Energy, LLC for a Certificate of Public)
Convenience and Necessity to Construct)
and Operate a Natural Gas Distribution System)
and Gas Utility; to Serve Persons of St. Louis)
County, Missouri and certain incorporated)
areas therein and Establishment of Utility Rates.)

Missouri Public
Service Commission

Case No. GA-2007-0271

MISSOURI DEPARTMENT OF NATURAL RESOURCES'
APPLICATION TO INTERVENE

Pursuant to 4 CSR 240-2.075, the Missouri Department of Natural Resources respectfully requests that the Commission grant its application to intervene in the above-styled matter. This application is made for the following reasons:

1. On January 17, 2007, Weber Gas Energy LLC (WBE) filed with the Missouri Public Service Commission (PSC) an application for a certificate of public convenience and necessity to construct and operate a natural gas distribution system utility to serve portions of St. Louis County and certain other incorporated areas.

2. On January 19, 2007, the PSC issued an Order and Notice in the above-styled case ordering, among other things, that interested parties should file applications to intervene on or before February 20, 2007.

3. The Missouri Department of Natural Resources (MDNR), and specifically its Energy Center, is a state agency vested with the powers and duties set forth in Section 640.150, RSMo.

4. MDNR has an interest different than that of the general public and its intervention will serve a public interest in that the Energy Center will be reviewing the proposed filing from a

formal policy and planning perspective. The Energy Center's review also will be in relation to the mandate set forth in Section 640.150, RSMo. The mandate set forth in the statute includes planning for energy resource development; analyzing energy management issues; consulting and cooperating with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; analyzing the potential for increased use of energy alternatives; and making recommendations for the expanded use of alternative energy sources and technologies.

5. The Energy Center supports more widespread development and use of Missouri's indigenous energy resources, including landfill gas, because such use can provide both economic and environmental benefits. The use of landfill gas as a renewable form of energy not only helps reduce emissions of methane, a potent greenhouse gas and contributor to smog, it spares emissions of other pollutants by reducing the consumption of fossil fuels. The methane not used to generate energy is either vented into the atmosphere or burned at landfills to minimize emissions.


6. In 1996, the Energy Center provided funds to Pattonville High School to use some landfill gas for heating purposes. Pattonville High School is located across the street from the landfill referenced in WBE's application and uses a portion of the methane gas from that landfill to meet some of its heating needs. Additionally, the Energy Center worked with the U.S. Environmental Protection Agency's Landfill Methane Outreach Program in 2004 to assess the potential contribution of landfill gas to Missouri's energy mix.

7. The Energy Center takes no position on the case as filed, but would welcome the opportunity to work with the WBE, Staff and the Office of Public Counsel to explore whether WBE

is interested in developing a program that has meaningful benefits to consumers and the environment.

WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,
JEREMIAH W. (JAY) NIXON
Attorney General


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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 January, 2007:

Secretary of the Missouri Public
Service Commission
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