

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

FILED

APR 29 2004

Missouri Public
Service Commission

In the Matter of Missouri Gas Energy's)
Tariff Sheets Designed to Increase Rates)
for Gas Service in the Company's Missouri)
Service Area)
)

Case No. GR-2004-0209
Tariff No. YG-2004-0624

APPLICATION TO INTERVENE OF CITY OF JOPLIN, MISSOURI

COMES NOW the City of Joplin, by and through counsel, pursuant to 4 CSR 240-2.075, and applies to intervene and become a party in the above-referenced case, and in support of its Application to Intervene states as follows:

1. The City of Joplin (Joplin) is a municipality located in Jasper County, Missouri, and receives its gas service from Missouri Gas Energy (hereinafter MGE). The City of Joplin also represents the interests of its citizens, who likewise receive their gas service from MGE.

2. Joplin's interest in proceedings affecting the rates for utility service in the MGE Joplin area has been previously recognized by the Missouri Public Service Commission, in permitting Joplin's intervention in prior rate-related proceedings.

3. On November 4, 2003, MGE filed proposed tariffs reflecting an annual revenue increase of \$44,875,635.00, an increase of 9.8% in rates. These proposed tariffs may be unjust, unreasonable and unduly discriminatory, in violation of law.

4. On November 7, 2003, the Missouri Public Service Commission issued an Order suspending the proposed rates and tariffs and directing an investigation of the proposals, setting an intervention deadline, scheduling a hearing, and setting a pre-hearing conference. Joplin did not receive any notice of the Application and was not listed in the Order as a person who was intended

by the Commission to receive direct notice of the Application.

5. A public hearing was scheduled and held in the evening of April 26, 2004 at Missouri Southern State College in Joplin, Missouri, and is how Joplin first learned of MGE's Application and the potential adverse impact on Intervenor.

6. Joplin has diligently taken action to intervene in this case once becoming aware of it on or about April 26, 2004, and its failure to intervene within the 20 day period earlier provided by the Commission was not due to any fault or neglect on its part. Joplin therefore has good cause for its failure to intervene earlier and requests leave of the Commission to intervene out of time.

7. Joplin states, pursuant to 4 CSR 240-2.075(2), that it is opposed to any unreasonable or unjust increase in gas rates that would create financial hardship or undue discrimination to its citizens and businesses, and to the City of Joplin itself.

8. The granting of the proposed intervention would serve the public interest and no other party to this proceeding can or will adequately represent the interests of Joplin.

9. The granting of intervention to Joplin by this Commission will not hinder or delay the timely completion of this case, will assure a full and fair presentation of all issues relevant to this Commission's duties, powers and authority under Section 393.170, RSMo, and will therefore serve the interests of justice and will serve the public interest.

10. While Joplin does not at this time have sufficient information to take a precise position in this matter, Joplin is certain that this Commission's decisions or orders entered herein will have a potentially adverse impact on Joplin which require that they present their position to the Commission pursuant to a reasonable procedural schedule adopted by the Commission.

11. Joplin respectfully submits that this Application meets the criteria for granting intervention set forth in Commission Rule 4 CSR 240-2.075(4), and respectfully requests that this Application to Intervene be granted.

12. Please address all correspondence, communications, orders and decisions in this matter to:

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WHEREFORE, for the foregoing reasons, the Intervenor City of Joplin respectfully requests the Commission's Order granting leave to intervene as a party in this matter and for such other and further orders as this Commission deems just and appropriate.

Respectfully submitted,

BLITZ, BARDGETT & DEUTSCH, L.C.

By: 

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CERTIFICATE OF SERVICE

I hereby certify that true copies of the foregoing Application to Intervene were sent to each of the following persons by postage paid U.S. Mail, this 29th day of April, 2004:

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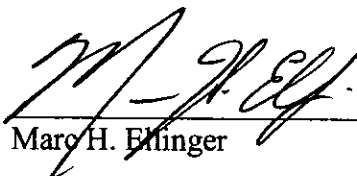
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