

# NEWMAN, COMLEY & RUTH

PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS AT LAW  
MONROE BLUFF EXECUTIVE CENTER  
601 MONROE STREET, SUITE 301  
P.O. BOX 537  
JEFFERSON CITY, MISSOURI 65102-0537  
www.ncrpc.com

TELEPHONE: (573) 634-2266  
FACSIMILE: (573) 636-3306

ROBERT K. ANGSTEAD  
MARK W. COMLEY  
CATHLEEN A. MARTIN  
STEPHEN G. NEWMAN  
JOHN A. RUTH

November 13, 2003

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

FILED

NOV 13 2003

Missouri Public  
Service Commission

Re: Case No. GR-2004-0209

Dear Judge Roberts:

Please find enclosed for filing in the referenced matter an original and five copies of an Application to Intervene.

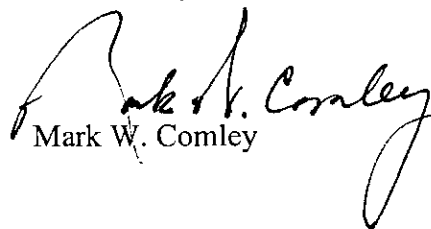
Would you please bring this filing to the attention of the appropriate Commission personnel.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

  
Mark W. Comley

MWC:ab

Enclosure

cc: Office of Public Counsel  
General Counsel's Office  
James C. Swearengen  
William D. Geary

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED

NOV 13 2003

Missouri Public  
Service Commission

In the Matter of Missouri Gas Energy's Tariffs )  
to Implement a General Rate Increase for )  
Natural Gas Service. )

Case No. GR-2004-0209

**APPLICATION TO INTERVENE**

COMES NOW the City of Kansas City, Missouri (hereinafter sometimes Kansas City), pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its Application to Intervene respectfully states:

1. The City of Kansas City, Missouri, is a municipality of the State of Missouri.
2. Correspondence, communications, orders and the decision in this matter should be

addressed to:

William D. Geary  
Assistant City Attorney  
2700 City Hall  
414 E. 12th St.  
Kansas City, MO 64106  
Telephone No.: 816/513-3118  
Fax No.: 816/513-3133

Mark W. Comley  
NEWMAN, COMLEY & RUTH P.C.  
P.O. Box 537  
Jefferson City, MO 65102-0537  
Telephone No.: 573/634-2266  
Fax No.: 573/636-3306

3. This case arose when Missouri Gas Energy (MGE) filed tariff sheets intended to implement a general rate increase for natural gas service. On November 7, 2003, the Commission issued a suspension order and notice directing that interested parties wishing to intervene must do so on or before November 26, 2003. This application is therefore timely.

4. Kansas City's Department of Housing and Community Development administers the Home Weatherization Program that is provided for in MGE's tariffs. Furthermore, it is itself a large consumer of energy supplied by MGE. The City's interest in this proceeding is different from that of the general public. It is interested in the impact of any decisions in this proceeding on behalf of itself and its residents and businesses, whose interests, and the City's, may be adversely affected by a final decision in this case. The City desires to participate fully in this proceeding including hearing and the briefing of the issues.

5. At this time, Kansas City is uncertain of the position it will take in this matter.


6. Granting the proposed intervention would serve the public interest.

WHEREFORE, for the foregoing reasons, the City of Kansas City, Missouri, respectfully requests that the Commission grant its Application to Intervene in this matter, and thereby entitle the City to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,

NEWMAN, COMLEY & RUTH P.C.

By:

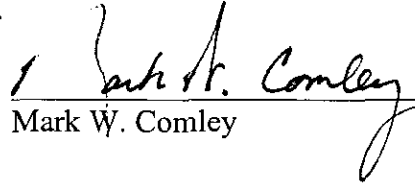
  
Mark W. Comley #28847  
601 Monroe Street, Suite 301  
P.O. Box 537  
Jefferson City, MO 65102-0537  
(573) 634-2266  
(573) 636-3306 (FAX)

Attorneys for City of Kansas City, Missouri

ATTORNEY VERIFICATION

STATE OF MISSOURI       )  
                                  ) ss.  
COUNTY OF COLE        )

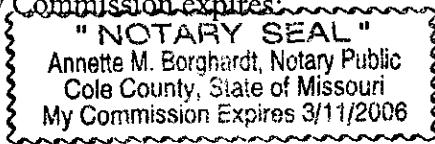
I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for The City of Kansas City, Missouri which seeks intervention in the above captioned proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

  
Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 13<sup>th</sup> day of November, 2003.

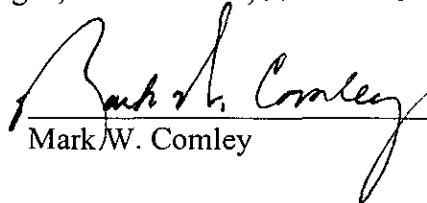
  
Notary Public, Cole County, Missouri

My Commission expires:



Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 13<sup>th</sup> day of November, 2003, to General Counsel's Office at [gencounsel@psc.state.mo.us](mailto:gencounsel@psc.state.mo.us); Office of Public Counsel at [opcservice@ded.state.mo.us](mailto:opcservice@ded.state.mo.us); and via U.S. Mail, postage prepaid, to James C. Swearingen, P.O. Box 456, Jefferson City, MO 65102.

  
Mark W. Comley