

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

In the Matter of the Application of Aquila, Inc.,)
for Approval of its Experimental Regulatory Plan)
and for a Certificate of Convenience and Necessity)
Authorizing it to Participate in the Construction,)
Ownership, Operation, Maintenance, Removal,)
Replacement, Control and Management of a)
Steam Electric Generating Station in)
Platte County, Missouri, or, alternatively, for)
an Order Specifically Confirming that Aquila, Inc.)
Has the Requisite Authority Under its Existing)
Certificate(s).)

Case No. EO-2005-0293

CALPINE CENTRAL, L.P.’S APPLICATION TO INTERVENE OUT OF TIME

COMES NOW CALPINE CENTRAL, L.P. (“Calpine”) and respectfully submits its Application to Intervene Out of Time in this proceeding pursuant to 4 CSR 240-2.075. In support of its Application, Calpine states as follows:

On March 2, 2005, Aquila, Inc. (“Aquila”) applied for a certificate of convenience and necessity to participate in a steam electric generation station (Iatan Unit 2) and to get Missouri Public Service Commission (the “Commission”) approval of an experiment regulatory plan to fund its participation in that plant. Within that application, Aquila asked that the Commission give public notice of the application, and to set an intervention deadline of April 1, 2005.

Calpine, through its affiliates, is an independent power producer and owns and operates the Aries Power Plant in Pleasant Hill, Missouri. The majority of the Aries Power Plant’s output is currently sold to Aquila.

Calpine desires to participate in this proceeding to ensure that the Commission will have available as many relevant facts as possible while addressing and determining the issues presented. Calpine's interests cannot be represented adequately by any other party.

As an independent power producer, Calpine is not intimately familiar with the Commission's practice and procedure and thus was unaware of the intervention deadline in this matter. Calpine did not, in fact, retain counsel until after the intervention deadline had passed. Calpine's lack of familiarity with the Commission's process and lack of counsel constitute good cause for allowing late intervention. This intervention is not for the purpose of delay, and no prejudice will result to the other parties if Calpine is allowed to intervene.

Granting Calpine's Application to Intervene Out of Time will also be in the public interest because Calpine will bring to this proceeding its expertise in the areas being investigated and its experience as a wholesale electric power provider. Calpine's rights may be adversely affected by the decisions reached in this case.

All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

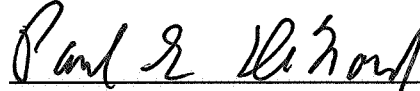
Paul S. DeFord
Lathrop & Gage L.C.
2345 Grand Boulevard, Suite 2800
Kansas City, MO 64108
Voice: 816-292-2000
Fax: 816-292-2001
pdeford@lathropgage.com

WHEREFORE, Calpine respectfully requests that the Commission grant this Application to Intervene Out of Time, together with any further and/or additional relief the Commission deems just and proper.

Respectfully submitted,

LATHROP & GAGE, L.C.

Dated: April 15, 2005



Paul S. DeFord Mo. #20509

Suite 2800

2345 Grand Boulevard

Kansas City, MO 64108-2612

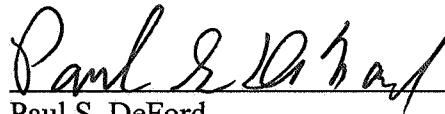
Telephone: (816) 292-2000

Facsimile: (816) 292-2001

Attorneys for Calpine Cental, L.P.

VERIFICATION

I, Paul S. DeFord, an attorney for Calpine Central, L.P., hereby verify and affirm that I have read the foregoing Application to Intervene of Calpine Central, L.P. and that the statements contained therein are true and correct to the best of my information and belief.



Paul S. DeFord

Subscribed and sworn to before me this 15th day of April, 2005.



Notary Public

DEANNA L-VICK

My Commission Expires:

DEANNA L VICK

Notary Public - Notary Seal

STATE OF MISSOURI - Platte County

My Commission Expires April 14, 2007

CERTIFICATE OF SERVICE

I hereby certify that a correct copy of the foregoing was sent via U.S. Mail or electronic transmittal on this 15th day of April, 2005, to:

Dana K. Joyce, Esq.
Office of General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102-0360
GenCounsel@PSC.MO.Gov

John B. Coffman, Esq.
Office of Public Counsel
Missouri Public Service Commission
PO Box 2230
Jefferson City, MO 65102-2230
OPCService@DED.MO.Gov

James Swearngen, Esq.
Brydon, Swearngen & England, PC
PO Box 456
Jefferson City, MO 65102-0456
lrackers@brydonlaw.com
Attorneys for Aquila, Inc.

Stuart M. Conrad, Esq.
Finnegan, Conrad & Peterson, L.C.
3100 Broadway, Suite 1209
Kansas City, MO 64111
Stucon@fcplaw.com
Attorneys for SIEUA

William Riggins
Kansas City Power & Light Company
1201 Walnut
Kansas City, MO 64141
Fax: (816) 556-2787

James M. Fischer
Fischer & Dority, P.C.
101 Madison, Suite 400
Jefferson City, MO 65101
JFischerPC@aol.com
Attorneys for KCP&L

Todd Tarter
The Empire District Electric Company
PO Box 127
Joplin, MO 64802
TTarter@empiredistrict.com

Dean L. Cooper, Esq.
Brydon, Swearngen & England, PC
PO Box 456
Jefferson City, MO 65102-0456
dcooper@brydonlaw.com
Attorneys for Empire District

Shelley A. Woods, Esq.
Assistant Attorney General
PO Box 899
Jefferson City, MO 65102-0899
Shelley.Woods@ago.mo.gov
Attorneys for MO DNR

James B. Lowery, Esq.
Smith & Lewis, LLP
PO Box 918
Columbia, MO 65205-0918
lowery@smithlewis.com
Attorneys for Union Electric Company

/s/ Paul S. DeFord
An Attorney for Calpine Central, L.P.