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3. The sale by Aquila of its ** HC _____

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HC _____ ** At the present, with Aquila being a ** HC _____

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HC _____ ** Access to these books

and records is necessary for the Staff to determine the actual cost of the ** HC _____

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HC _____ ** These determinations are necessary in order to

assure that the ratepayers of Aquila Networks-MPS are not subsidizing the sale of ** HC

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4. The necessity for access to books and records is manifested by the intricacies of the transactions involving ** HC

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HC ** and would flow to Aquila, not to MPS's customers through lower rates.

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**** The Staff**

anticipates that the matters just noted will be an issue in Aquila's presently pending electric rate increase case, ER-2004-0034.

5. Aquila asserts on page 3, paragraph 6 of its November 19, 2003 Response And Objection To Motion To Open Case that there was no suggestion by the Staff that the sale had any Missouri regulatory implications, **** HC**

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With the consummation of the proposed sale, the Commission will no longer have similar access to the books and records necessary to determine the costs of the ** HC

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HC ** it will be impossible should the proposed transaction occur.

6. On page 5, paragraph 9 of its November 19, 2003 Response And Objection To Motion To Open Case, Aquila argues that the Commission's authority to regulate or to prevent

** HC

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HC ** Both contentions by Aquila are incorrect.

A consequence of the proposed transaction, should it occur, is that Aquila's access to information relating to the ** HC

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Thus, Aquila's statement on page 5, paragraph 11 of its November 19, 2003 Response And Objection To Motion To Open Case that "[t]he contemplated Transaction does not represent any change for Missouri regulation" is also incorrect.

5. ** HC

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In Aquila Networks–MPS’s last rate case, ER-2001-672, the Staff treated ** tHC

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6. ** HC_____

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WHEREFORE, the Staff requests that (a) the Commission direct its Staff to investigate the facts pertaining to the scope of the Commission's jurisdiction over Aquila's ** HC_____ HC_____ ** requires this Commission's approval, and (2) the Commission keep open this case to receive the results of the Staff's investigation.

Respectfully submitted,

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General Counsel

/s/ Steven Dottheim
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 3rd day of December 2003.

/s/ Steven Dottheim

Steven Dottheim