

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Midwest Independent Transmission
System Operator, Inc., *et al.*

Docket No. EL02-111-004

Ameren Services company, *et al.*

Docket No. EL03-212-002

**MOTION OF THE ORGANIZATION OF MISO STATES
FOR INTERVENTION OUT-OF-TIME**

To the Chief Administrative Law Judge:

Pursuant to Rule 214(a) of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(a), the Organization of MISO States (OMS) files its Motion for Intervention in the above-captioned proceeding. In support thereof, the OMS states as follows:

I. Communications

1. Service of all pleadings, documents, and communications in this matter should be made on the following:

William H. Smith, Jr.
Executive Director
Organization of MISO States
100 Court Avenue, Suite 218
Des Moines, Iowa 50309
(515) 243-0742

II. Description of Proceeding

2. On March 19, 2004, the Commission approved an agreement providing for going forward principles and procedures (106 FERC ¶61,262). At a conference of the parties on April 7, 2004, a process was adopted that will fulfill these goals between now and October 1, 2004, with the assistance of the Chief Administrative Law Judge. The

end result of the proceeding will be transmission rates that affect the entire region served by the Midwest Independent Transmission System Operator (MISO) and the PJM Interconnection.

III. Basis for Intervention

3. The OMS was formed on June 11, 2003, as a non-profit, self-governing organization of representatives from each state with regulatory jurisdiction over entities participating in the MISO, a regional transmission organization as defined by the FERC. The state regulatory agencies that are members of the OMS are the Illinois Commerce Commission, the Indiana Utility Regulatory Commission, the Iowa Utilities Board, the Kentucky Public Service Commission, the Michigan Public Service Commission, the Minnesota Public Utilities Commission, the Missouri Public Service Commission, the Montana Public Service Commission, the Nebraska Power Review Board, North Dakota Public Service Commission, the Ohio Public Utilities Commission, the Pennsylvania Public Utility Commission, the South Dakota Public Utilities Commission, and the Wisconsin Public Service Commission. The Manitoba Public Utilities Board is also a member of the OMS.

4. The purpose of the OMS is to coordinate regulatory oversight among its state members, make recommendations to MISO, the MISO Board of Directors, the FERC, other relevant government entities, and state commissions as appropriate, and intervene in proceedings before the FERC and in related judicial proceedings to express the positions of the OMS. The OMS files this Motion to Intervene pursuant to the authority conferred by its bylaws and the authorization of its Executive Committee.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Notice of Intervention on all parties on the official service list compiled by the Secretary in this proceeding.

Dated at Des Moines, Iowa, this 16th day of April, 2004.

 /s/
William H. Smith, Jr.