

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

In The Matter of the Application of Aquila, )  
Inc. for Permission and Approval and a )  
Certificate of Public Convenience and )  
Necessity Authorizing it to Acquire, )  
Construct, Install, Own, Operate, )  
Maintain, and otherwise Control and )  
Manage Electrical Production and )  
Related Facilities in Unincorporated )  
Areas of Cass County, Missouri Near the )  
Town of Peculiar. )

Case No. EA-2006-0309

**MOTION FOR ISSUANCE OF ORDER ESTABLISHING  
PROCEDURAL SCHEDULE INCLUDING AN  
INTERVENTION DEADLINE AND PREHEARING CONFERENCE**

COMES NOW Aquila, Inc. ("Aquila"), by counsel, and for its Motion for Issuance of Order Establishing Procedural Schedule Including an Intervention Deadline and Prehearing Conference, respectfully states as follows to the Missouri Public Service Commission ("Commission"):

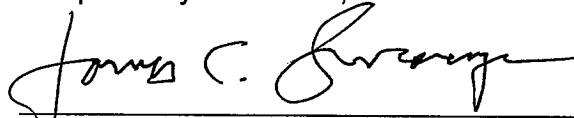
1. Aquila has this date caused to be filed with the Commission an application which is the subject of the captioned-matter, including direct testimony in support of the application. The application involves Aquila's South Harper Facility and Peculiar Substation.

2. Aquila has represented to the Circuit Court of Cass County in connection with *Cass County, Missouri v. Aquila, Inc.*, Case No. CV-104-1443CC (involving Aquila's request to extend a stay of the permanent injunction entered by the Court on January 11, 2005, enjoining Aquila from constructing and operating the South Harper Facility and Peculiar substation), that it will request the Commission to promptly provide

notice of the subject application to the public and establish a procedural schedule including an intervention deadline.

WHEREFORE, in view of the foregoing, Aquila respectfully moves the Commission to provide its customary notice of the subject application to the public as soon as possible, to establish a procedural schedule in this case including an intervention deadline and to schedule an early prehearing/settlement conference to take place a week to ten days after the close of the intervention period.

Respectfully submitted,



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ATTORNEYS FOR AQUILA, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail or by hand delivery, on this 25<sup>th</sup> day of January, 2006 to the General Counsel of the Missouri Public Service Commission and Office of the Public Counsel.

