

**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

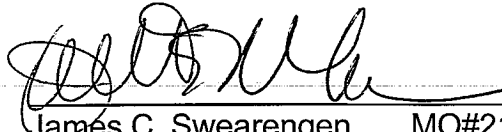
OBJECTIONS TO AFFIDAVITS

COMES NOW Aquila, Inc. (hereinafter "Aquila" or the "Company"), by counsel, and pursuant to Section 536.070(12) RSMo 2000, herein objects to the use in this proceeding of all portions of the affidavit of Harold Stanley, filed by Stopaquila.org and entitled "Rebuttal Testimony" on the grounds that same is in the form of an affidavit, that it constitutes and contains hearsay evidence, and that it contains matters which are not the best evidence.

Further, Aquila herein objects to the use in this proceeding of all portions of the affidavits of Gary Mallory and Bruce G. Peshoff, filed by Cass County and entitled "Rebuttal Testimony", on the grounds same are in the form of an affidavit, that they constitute and contain hearsay evidence, and that they contain matters which are not the best evidence.

WHEREFORE, Aquila prays that the Commission shall not permit the use of said affidavits except in ways that would have been permissible in the absence of said objections.

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 electronically, by first class mail or by hand delivery, on this 10th day of April 2006, to all parties of record.

