

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

In the Matter of the Tariffs of Aquila, Inc.,)
d/b/a Aquila Networks - MPS and Aquila)
Networks - L&P, Increasing Electric Rates for) Case No. ER-2007-0004
the Services Provided to Customers in the)
Aquila Networks - MPS and Aquila Networks)
- L&P Service Areas.)

**AQUILA’S REQUEST FOR RECONSIDERATION AND
POST-CIRCUIT COURT JUDGMENT SCENARIO**

COMES NOW Aquila, Inc. (“Aquila”), by and through counsel, and, for its request for reconsideration of the Order Granting Expedited Treatment and Approving Tariff Sheets issued June 29, 2007, and for its post-Circuit Court judgment scenario with regard to the four tariff sheets filed herein by Aquila on June 18, 2007 (tariff sheets 124-127), respectfully states to the Missouri Public Service Commission (“Commission”) as follows:

1. Ag Processing, Inc. and Sedalia Industrial Energy Users’ Association filed a Petition for Writ of Review with the Cole County Circuit Court (Case No. 07AC-CC00526), purportedly pursuant to §386.510, RSMo., seeking judicial review of the Commission’s Report and Order issued herein on May 17, 2007. In response to said Petition for Writ of Review, the Circuit Court issued a Writ, which, in part, directed the Commission to take no further action in this rate case proceeding.

2. Aquila thereafter sought an order of the Circuit Court dismissing said case and setting aside the Writ. The Commission also moved to dismiss the case and have the Writ dissolved.

3. On June 29, 2007, a Judgment granting Aquila’s Motion to Dismiss and setting aside the Circuit Court Writ was provided to the parties.

4. Accordingly, the Commission was then able to take up and consider Aquila’s tariff sheets 124-127 which are designed to comply with the Commission’s June 14th Order Rejecting

Tariff, Granting Clarification, Directing Filing and Correcting Order Nunc Pro Tunc and the May 17th Report and Order, as clarified. In fact, the Commission issued its Order Granting Expedited Treatment and Approving Tariff Sheets on July 29, 2007. Said Order, however, bears an effective date of July 5, 2007.

5. Unless the order approving the FAC tariff sheets bears an effective date of Sunday, July 1, 2007 (or an earlier date), Aquila risks losing the ability to recover its fuel costs for the month of July. *See* 4 CSR 240-20.090(2)(I). Accordingly, Aquila respectfully requests that the Commission reconsider its Order Granting Expedited Treatment and Approving Tariff Sheets, and, on this same date, issue a new order approving the tariff sheets, effective Sunday, July 1, 2007.

6. Aquila suggests that the Commission issue a new order upon reconsideration directing that revised tariff sheets 124-127 become **effective on Sunday, July 1, 2007**; said order should bear an effective date of Sunday, July 1, 2007; and said order should prospectively **waive Commission Rules 4 CSR 240-2.045(2) and 4 CSR 240-2.080(11)**, thus allowing all parties to electronically file with the Commission pleadings they deem appropriate regarding the order up until 11:59 p.m. on Saturday, June 30, 2007.

Respectfully submitted,

Brydon, Swearingen & England P.C.

By: /s/ Diana C. Carter
James C. Swearingen #21510
Paul A. Boudreau #33155
Diana C. Carter #50527
L. Russell Mitten #27881
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
Telephone: (573) 635-7166
Facsimile: (573) 634-7431
E-Mail: LRackers@brydonlaw.com

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, hand-delivered, or sent by electronic transmission, on this 27th day of June, 2007, to all counsel of record.

 /s/ Diana C. Carter