

**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 ) Case No. EA-2006-0309  
Manage Electrical Production and )  
Related Facilities in Unincorporated )  
Areas of Cass County, Missouri Near the )  
Town of Peculiar.

**STOPAQUILA's STATEMENT AS TO AQUILA's PRESENTATION  
PLANNED FOR APRIL 11, 2006, BEFORE THE COMMISSION,  
AND OBJECTION**

The undersigned, as attorney for StopAquila.org, received notice from the Regulatory Law Judge at 10:19 A.M. on April 10, 2006, that "Aquila has asked to speak to the Commission about a matter outside of the scope of EA-2006-0309." This is the only notice the undersigned received. This 24 hour advance notice gives inadequate time to the undersigned to make arrangements to be present. The undersigned has to be in Federal Court in Kansas City before the Honorable Jerry Venters at 10:00 A.M. on April 11, 2006, in a hearing that likely will last until noon. The undersigned cannot possibly attend the above referenced meeting of the Commission.

The notice states that the presentation is outside of the scope of the present case, and presumably the Commissioners will not entertain any conversations that bear on the subject of the present case. However, the subject of the present case is potentially broad and is subject to debate. Many issues potentially are relevant in this case. The purpose

of this filing by StopAquila.org is to state that StopAquila.org would be concerned if any discussions that bear on the present case were held, particularly ones that may be prejudicial to the positions held by StopAquila.org, when StopAquila.org does not have the opportunity to attend, ask questions, make a record and preserve its positions.

To properly represent his client, and to preserve any objection that may later be deemed by a court to be necessary, the undersigned hereby objects to any discussions between the applicant and the Commission about matters that are related to the present case.

Respectfully submitted by:

/s/ Gerard D. Eftink  
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Attorney for STOPAQUILA.ORG et al.

I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail or mailed, on this 10th day of April, 2006 to the following:

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By /s/ Gerard Eftink