

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

**REQUEST OF STOPAQUILA.ORG FOR PERMISSION TO PRESENT  
TESTIMONY OF HAROLD STANLEY, P.E., BY TELEPHONE AT HEARING**

Mr. Harold Stanley,P.E., is on an outage at a power plant in New Mexico. The plant was powered down, and the engineers will be working intensely on the plant to renovate it over the next five weeks. Mr. Stanley will not be able to return to Missouri until approximately May 20. Under the present schedule, this return would be after the hearings are over. StopAquila would want to present his testimony. The affidavit of Mr. Stanley was filed last week. Aquila objected to the affidavit.

This motion may be premature and may be obviated by a deposition of Mr. Stanley that Aquila is now setting up. However, StopAquila files this motion so the PSC has time to consider this motion and rule on it so that in the event the testimony of Mr. Stanley at the hearing is needed by StopAquila, we would be permitted to present him by telephone.

Latitude should be given due to the extremely unusual nature of this proceeding and the expedited schedule. The parties have been forced to compress their schedules to accommodate Aquila.

StopAquila understands that if the deposition of Mr. Stanley is taken, the deposition would likely be presented by one or more parties, and there may be no need to have a ruling on this motion. At some point the parties may indicate that this motion does not need to be ruled upon.

StopAquila requests that the PSC permit the testimony of Harold Stanley by telephone at the PSC hearings.

Submitted by:

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I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail on this 14<sup>th</sup> day of April, 2006 to the following:

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