

**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.

**INTERVENOR STOPAQUILA.ORG'S MOTION FOR ORDER
PERMITTING USE OF HIGHLY CONFIDENTIAL MATERIAL**

On pages 6 through 8 of STOPAQUILA.ORG's Proposed Report (confidential version), filed on May 18, 2006, and in the Summation (confidential version) filed by STOPAQUILA.ORG on May 12, there are references to what testimony and documents that were disclosed during in camera sessions. These were designated at the time as being confidential. STOPAQUILA.ORG urges that these passages and documents are not truly confidential, but in any event that public policy should be in favor of these passages and the documents being available to the public. The public has a right to know. These are a.) testimony of Aquila, b.) testimony of what Aquila told Staff, c.) figures given by Aquila, and d.) past events. These matters deal with the dollar amounts that Aquila paid, or the kind of generation capacity it then had, or statements Aquila made about how much it would have saved if it had taken certain action in 2004 -2005, what it stated in 2004-2005 as to its future plans. Revelation of these past events will cause no harm to Aquila.

STOPAQUILA.ORG requests that the PSC determine that the matters found on pages 6 through 8 of STOPAQUILA.ORG's Proposed Report (confidential version), filed on May 18, 2006, which are designated as confidential, be declassified so that the public can know.

Submitted by:

/s/ Gerard D. Eftink
Gerard D. Eftink MO Bar #28683
P.O. Box 1280
Raymore, MO 64083
(816) 322-8000
(816) 322-8030 Facsimile
geftink@comcast.net E-mail
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 18th day of May, 2006 to the following:

James C. Swearengen
Brydon, Swearengen & England, P.C.
312 East Capitol Ave.
P.O. Box 456
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102-0360

Office of the Public Counsel
Governor Office Building
200 Madison Street, Suite 650
P Box 2230
Jefferson City, MO 65102-2230

Mark Comley
Newman, Comley & Ruth
P.O. Box 537
Jefferson City, MO 65102-0537

Sid E. Douglas
2405 Grand Blvd., Suite 1100
Kansas City, MO 64108

Cindy Reams Martin
408 S.E. Douglas
Lee's Summit, MO 64063-4247

Debra Moore
Cass County Courthouse
102 E. Wall
Harrisonville, MO 64701

Stuart Conrad
Finnegan, Conrad & Peterson
3100 Broadway, Suite 1209
Kansas City, MO 64111

John Coffman
871 Tuxedo Blvd.
St. Louis, MO 63119

David Linton
424 Summer Top Lane
Fenton MO 63026

By /s/ Gerard Eftink