

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Aquila, Inc., d/b/a)	
Aquila Networks – MPS and Aquila Networks – L&P)	
for Authority to Transfer Operational Control of Certain)	<u>Case No. EO-2008-0046</u>
Transmission Assets to the Midwest Independent)	
Transmission System Operator, Inc.)	

ORDER GRANTING INTERVENTION AND
SCHEDULING PREHEARING CONFERENCE

Issue Date: September 28, 2007

Effective Date: September 28, 2007

On August 20, 2007, Aquila, Inc., d/b/a Aquila Networks – MPS and Aquila Networks – L&P (“Aquila”) filed an application with the Missouri Public Service Commission for authority to transfer operational control of certain transmission assets to the Midwest Independent Transmission System Operator, Inc.

The Commission issued notice of that filing on August 28, 2007, and established September 17 as the deadline for submission of requests to intervene. Dogwood Energy, LLC,¹ Kansas City Power & Light Company, the Southwest Power Pool, Inc., Union Electric Company, d/b/a AmerenUE, and the Midwest Independent Transmission Operator, Inc., each filed applications to intervene on or before September 17. More than ten days have passed since these applications to intervene were filed and no party has objected to them.

The Commission finds that each of these applicants has an interest that is different than that of the general public and that each applicant’s interest may be adversely

¹ Dogwood Energy, LLC, owns a 600MW combined cycle generating facility located within Aquila’s service territory and is a potential provider of capacity and energy to Aquila.

affected by a final order arising from this case. Furthermore, the Commission finds that allowing these applicants to intervene will serve the public interest. Therefore, in accordance with 4 CSR 240-2.075(4), the Commission will grant the applications to intervene.

On September 17, 2007, in compliance with a Commission order, the Commission's Staff filed a status report regarding the filing of its recommendation in this case. Staff stated that it cannot support Aquila's application and asked the Commission to schedule a prehearing conference for the purpose of setting a procedural schedule. More than ten days have passed since Staff filed its report and no party has responded. The Commission finds Staff's recommendation to be reasonable. The Commission will schedule a prehearing conference and set a deadline for the parties to file a proposed procedural schedule.

IT IS ORDERED THAT:

1. The Application to Intervene of Dogwood Energy, LLC, is granted.
2. The Application to Intervene of Kansas City Power & Light Company is granted.
3. The Application to Intervene of the Southwest Power Pool, Inc., is granted.
4. The Application to Intervene of Union Electric Company, d/b/a AmerenUE, is granted.
5. The Application to Intervene of Midwest Independent Transmission System Operator, Inc., is granted.
6. The parties shall attend a prehearing conference to be held on October 15, 2007, beginning at 10:00 a.m. The prehearing conference will be held in Room 305 at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City,

Missouri, a building that meets accessibility standards required by the Americans with Disabilities Act. Any person needing additional accommodations to participate in this prehearing conference should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the conference.

7. The parties shall jointly prepare and file a proposed procedural schedule no later than October 30, 2007.

8. This order shall become effective on September 28, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a faint, circular embossed seal.

Colleen M. Dale
Secretary

(S E A L)

Cherlyn Voss, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 28th day of September, 2007.