

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 1st day of
June, 2006.

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.)

ORDER DENYING MOTIONS FOR REHEARING

Issue Date: June 1, 2006

Effective Date: June 1, 2006

Syllabus: This order denies the motions for rehearing filed by StopAquila.org, Cass County, and Intervenors Dillon, Miller and Doll.¹

On May 23, 2006, the Commission issued its Report and Order. That Report and Order approved Aquila’s application for a certificate of convenience and necessity for its South Harper peaking facility and Peculiar Substation. On May 30, StopAquila.org, Cass County, and Intervenors Dillon, Miller and Doll filed motions for rehearing.

Section 386.500.1, RSMo 2000, provides that the Commission shall grant an application for rehearing if “in its judgment sufficient reason therefor be made to appear.”

The Commission finds that StopAquila.org, Cass County and Intervenors Dillon, Miller and

¹ The full names of those intervenors are Frank Dillon, Kimberly Miller, James and Linda Doll, Kendra and Randy Cooper, Gary and Cheryl Crabtree, and Allen and Shirley Bockelman. The Commission has referred to these intervenors in this case as Dillon, Miller and Doll, and will continue to do so in an effort to remain consistent. No disrespect is intended to the otherwise unnamed intervenors.

Doll have failed to establish sufficient reason to grant their motions. The Commission will deny them.

IT IS ORDERED THAT:

1. That the Motions for Rehearing filed by StopAquila.org, Cass County, and Intervenor Dillon, Miller and Doll are denied.
2. That this order shall become effective on June 1, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, and Appling, CC., concur.
Gaw and Clayton, CC., dissent.

Pridgin, Regulatory Law Judge