

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Tariff Filing of)
Aquila, Inc. to Implement a General Rate)
Increase for Retail Electric Service)
Provided to Customers in its MPS and)
L&P Missouri Service Areas)

Case No. ER-2005-0436

**CLARIFICATION TO STAFF'S MOTION IN LIMINE REGARDING A PORTION OF THE
REBUTTAL TESTIMONY FILED ON BEHALF OF SAMUEL C. HADAWAY**

COMES NOW the Staff of the Missouri Public Service Commission and clarifies a reference in its Motion in Limine:

In the Motion in Limine filed on December 21, 2005 in this matter, Staff cited to a portion of the rebuttal testimony filed by Aquila Networks-MPS and Aquila Networks-L&P ("Aquila") on behalf of Samuel C. Hadaway. In the motion, Staff cited to lines 11 through 23 of page ten and lines one and two of page 11 of his prefiled Rebuttal Testimony. The citation was in error, as that is the citation for that language in Dr. Hadaway's Rebuttal Testimony filed in the companion case to this matter, Case No. HR-2005-0450. The correct citation in this case is to lines 9 through 23 of page nine of Dr. Hadaway's prefiled Rebuttal Testimony.

WHEREFORE, the Staff respectfully requests that the Commission accept this clarification, and renews its motion that the Commission to enter an order excluding Dr. Hadaway's discussion at lines 9 to 23 of page nine of his Rebuttal Testimony from consideration in this case because its inclusion (1) violates the terms of a Stipulation and Agreement filed with and approved by the Commission to which Aquila is a party; and (2) because its inclusion would violate a Commission Order that Aquila abide by the terms of that Stipulation and Agreement.

Respectfully submitted,

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/s/ David A. Meyer

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 3rd day of January 2006.

/s/ David A. Meyer